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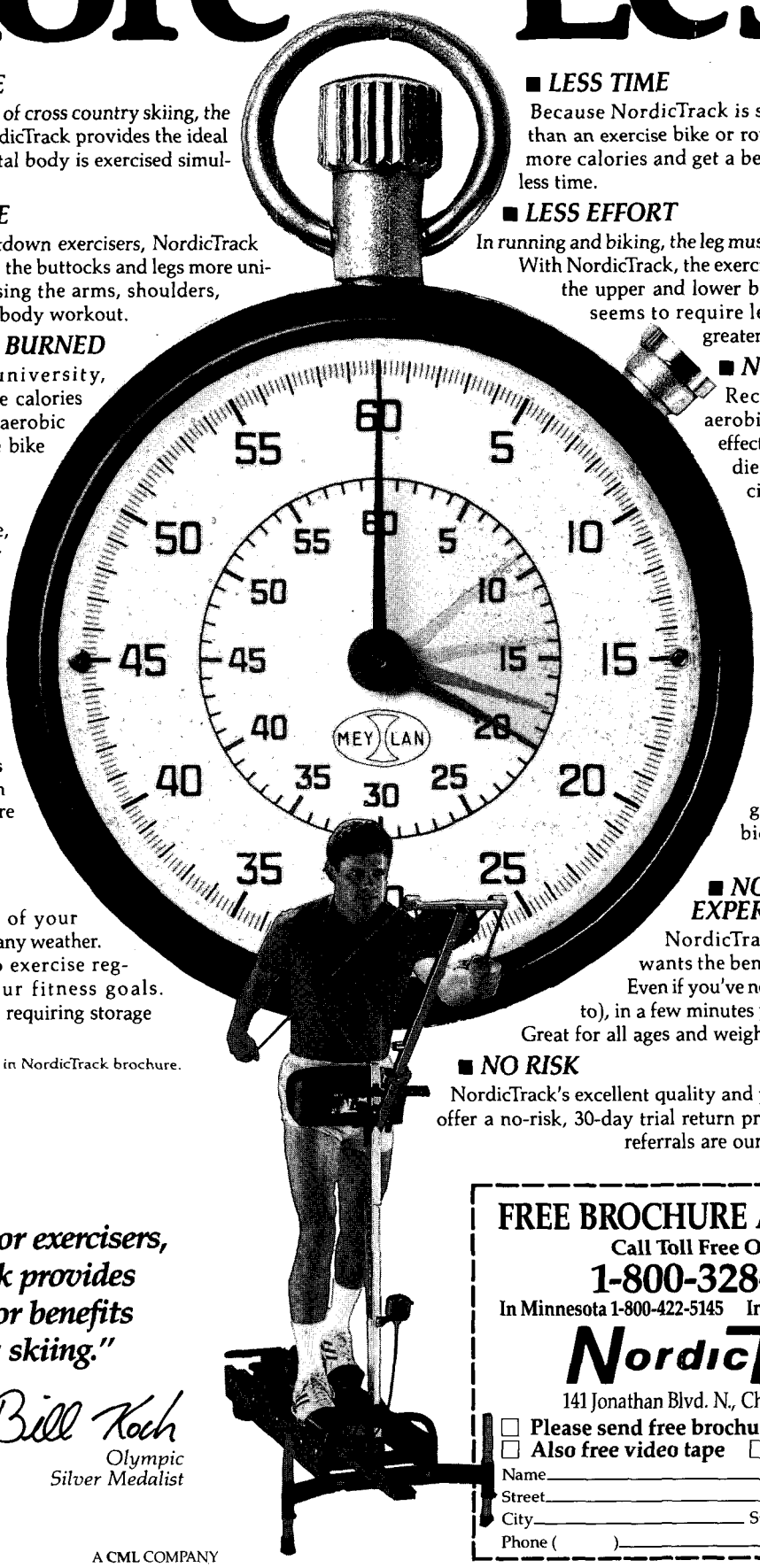

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Free Minds & Free Markets

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LETTERS

We're in Trouble Now

The table of contents in the April issue listed the article "Courting Danger" on page 22. It actually appeared on page 20. This is clearly an actionable product defect.

It cost me extra time to flip backwards and find the start of the article. This extra page-flipping also put me at greater risk of a paper cut from reading REASON this month. Finally, of course, the mental anguish involved should yield me few million dollars.

I'd probably sue you, if I could stand to be in the same room as a lawyer.

Samuel Mize
Plano, TX

P.S. Thanks for yet another interesting and enjoyable article.

Where's the Beef?

There are times when I don't know whether to laugh or cry. Your April issue provides such a moment. Three excellent articles cover the liability crisis, the World Bank, and Arthur Kantrowitz.

And then there is the review "Engine of Destruction or Engine of Creation?" Yes, under normal circumstances, capitalism brilliantly creates new jobs in new industries that—as a by-product—destroy old industries. The early auto industry shows this process at work and its human benefits.

But there is a peculiar nature to too many of today's "sunrise" industries. As Peter Huber points out ("Courting Danger"), growing litigation actively harms the United States. We are not getting better products or better services. We do get less choice, poorer quality, and higher prices. And, not incidentally, our lives become poorer.

Let me make a personal observation. I am a computer analyst in New Jersey—a success in a success state. If the "sunrise" industries truly benefit, why do we in New Jersey not see real improvement in our lives? Instead we see housing shortages, transportation difficulties, and prices outstripping even our quite-elevated earnings.

Capitalism offers real solutions to our problems. But first, let's stop defending irrational, ineffective economic growth caused by nonsense such as the litigation explosion.

Charles J. Divine
Trenton, NJ

Pork Addiction

The article on pork-barrel science ("Political Science: Pork Invades the Lab," March) was right on the money. Our department (Computer Engineering) recently accepted a $15-million non-peer-reviewed grant from the EDA, a fact that as a Dartmouth faculty member I find both repugnant and embarrassing. The time has come for universities to realize that science operates best as a market process: institutions freely competing with one another provide the best way for society to separate good research from bad. When it comes to federal funding, the scientists are going to have to learn to "just say no."

Barry Fagin
Hanover, NH

What's Good for Addicts

Virginia I. Postrel's column "Are Addicts Sickorbad?" (Feb.) shows how flawed our coverage of people different from ourselves can be when we try to make universal answers when there are none.

A market approach *is* in general more suitable than a medical approach, espe-

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A Feast of Freedom

"Liberty is a Glorious Feast." —Robert Burns

Every issue of *Liberty* offers a feast of individualist thinking.

As appetizers, *Reflections* serves up the provocative opinions of *Liberty*'s editors. A few selections from the menu for May:

Murray Rothbard on the "privatization" of Salman Rushdie's death sentence and the reputed death of God;

Timothy Virkkala on why Ted Bundy deserved to be killed;

Mike Holmes on the Bush the workaholic;

Rex May on libertarian imperialism.

The main course consists of a variety of controversial and thoughtful essays. A few entrées from our current offering:

Karl Hess, Jr, on why free market slogans do not solve environmental problems;

Margaret Fries on how the television networks conspire to keep your vote from counting;

Duncan Williams on the one fatal mistake of the Paul campaign;

Johnny Fargo on the irrationality of the Libertarian Party's membership "oath;"

Murray Rothbard on the problems with Public Choice theory;

Jane Shaw on the fires of Yellowstone.

As side dishes, *Liberty* offers a variety of penetrating reviews:

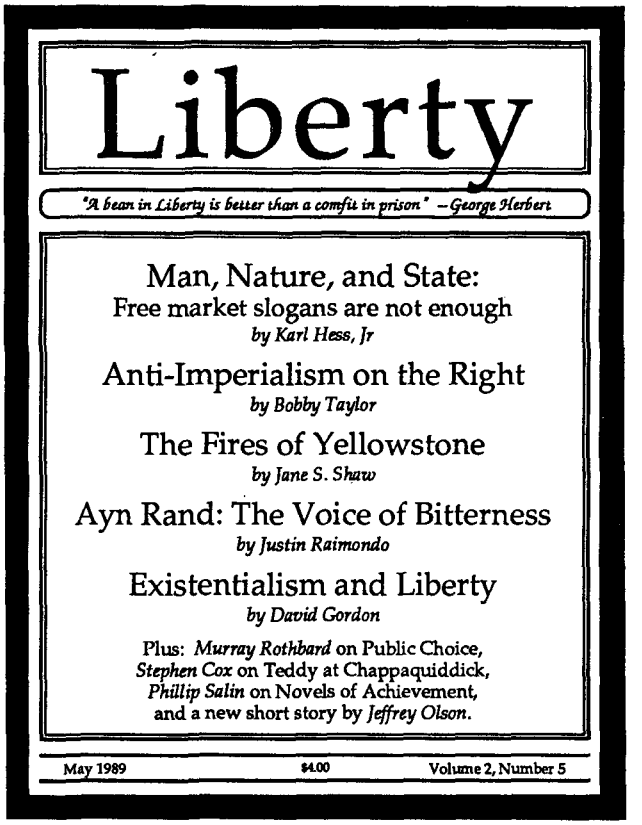
Justin Raimondo on the latest Ayn Rand anthology;

Stephen Cox on the definitive book on Kennedy at Chappaquiddick;

Philip Salin on novels of achievement . . .

And reviews of other books, films, video, television and comics.

For dessert: the cartoons of Baloo and Bob Ortin, and satirical fiction by Jeffrey Olson.


Liberty
"A bean in Liberty is better than a comfit in prison" —George Herbert
Man, Nature, and State:
Free market slogans are not enough
by Karl Hess, Jr
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Liberty's Cuisiniers

This libertarian banquet is prepared for you by *Liberty*'s editors, master chefs of the written word:

- Prof Steven Cox, cultural and literary critic.
- R. W. Bradford, editor of *Analysis & Outlook.*
- David Ramsay Steele, Editorial Director of Open Court Publishing.
- Murray Rothbard, the economist and political theorist whom William F. Buckley, Jr, calls, "the dominant figure in the libertarian movement."
- Karl Hess, former speechwriter for Barry Goldwater; author of his famous declaration, "Extremism in the defense of liberty is no vice, moderation in the pursuit of justice is no virtue."

Coming in July's Liberty:

✔ **Thomas Szasz** on "The Myth of the Rights of Mental Patients" Szasz demonstrates again why he is the leading critic of contemporary psychiatry.

✔ **David Friedman** on "Private Law Enforcement in Viking Iceland" Friedman illuminates the legal system of Iceland's romantic past and finds remarkable support for private justice.

✔ **John Hospers** on "Libertarianism: Open and Closed" Hospers examines how individualists deal with vexatious problems, and identifies two vastly differing approaches.

✔ **R. W. Bradford** on "H. L. Mencken's Illegitimate Offspring" Bradford criticizes those who mimic Mencken without understanding his thought or approaching his wit.

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cially for the 24 out of 25 people who have tried cocaine without becoming "full-blown" addicts. The 25th person, however, needs the medical approach. Ms. Postrel's article does not talk of competing alternatives but of one answer to the problem of addiction whether it works for all people or not.

I expected an alternative to the sick-or-bad model, but all I saw was the bad model—people not making moral choices. Some of our greatest men and women have been addicts of one form or another.

It is interesting to note that the most successful addiction program, AA, is governed according to individualistic principles. There are no formal leaders or structure. Membership and dues are strictly voluntary. The group is supported at the individual level, new groups form up readily whenever a need arises, and old groups die whenever they no longer serve their purpose.

No matter which approach works best for each individual, we should concentrate on getting government out of the picture, where it does not belong. The medical approach is just a subset of the market approach, and there is a place for both.

John Cralley Shaw
Houston, TX

Give Him Liberty (and REASON)

Regarding the letter from a reader who says he has been a subscriber for "about a year now" and is not going to renew his subscription when it expires ("Does the Punishment Fit the Crime?" March): To balance it off, please renew mine when it expires. Whether I agree or disagree with the opinions expressed on legalization of drugs, it is refreshing to hear opinions contrary to those of the common herd of thundering editorialists. I personally favor the decriminalization of cigarette smoking, too, which will no doubt horrify the surgeon general who prances around in his phony vice-admiral's uniform, complete with baggage tags over the left breast pocket of his sailor suit.

We have come to the inevitable changing of the gods of our American society, where the Great God of Safety has usurped the rightful position of the Goddess of Liberty as our national symbol. "Safety" or "the public safety" is a collectivist concept, while "liberty" is an individualist concept. Safety requires the armed police state's minions to enforce its sumptuary laws. Liberty requires no such armed intervention by the state. Whether the two can "peacefully coexist" for long, I doubt very much.

C. E. Windle
Redmond, WA

Extended Response

In my previous letter commenting on Ted Carpenter's observations in REASON (Apr.), I pointed out that "extended deterrence," based on the entire strength of U.S. strategic forces, had been supplanted by "flexible response," based on intermediate levels of escalation to defend NATO from Soviet aggression. Carpenter flatly denies this to be true. A statement by Gen. John R. Galvin, Supreme Allied Commander of Europe, recently published in *Armed Forces Journal International* substantiates my contention in every particular: NATO has recognized for the past two decades that simple extended deterrence was bankrupt because it was not credible. I submit that the single person responsible for NATO joint wartime command—including the decision of when and how to employ nuclear weapons—is a more definitive authority on the reality of current doctrine than either ambassadors or foreign observers who have no such responsibility.

One other point bears correction. Carpenter draws a false dichotomy between the policy goals of defending Americans and, as an ally, of defending NATO populations. In fact, space-based strategic defenses and transfer of ground-based defense technology can achieve both objectives as a direct result of their inherent capabilities. This is even more relevant, considering that the nuclear threat to NATO now arises from newly deployed Soviet SS-25 ICBMs, which are replacing the now-superfluous (and conveniently banned) SS-20 intermediate range missiles.

Strategic defense can be applied to increase deterrence, defend both the

OOZING GALLONS AND GALLONS OF SLIME! WHAT CAN BE DONE TO CLEAN UP THIS MESS?...
WELL, MAYBE JIM WRIGHT WILL RESIGN
ALASKA OIL SPILL!
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STATES

LETTERS

United Sates and NATO, and inhibit nuclear escalation. I do not understand why Mr. Carpenter believes it is wrong to extend these benefits to the other members of the free world—particularly when it need involve no additional expense on our part.

Michael J. Dunn
Auburn, WA

Better Red Than Homeless?

I read with interest the Brickbat item (April) which noted that Soviet citizens may now purchase their apartments from the state. You suggested the top price of $16,200 might intimidate Soviet buyers, though, since most of them earn around $325 a month.

A quick calculation shows that the Soviets aren't doing too badly. In Orange County, California, where I live, the average cost of a home is over $220,000—well out of reach of the average American. The fact is that the *average* Soviet buyer will find homebuying easier than all but the few who make $4,000 or more a month in Orange County.

Will Swaim
Irvine, CA

The editors reply: Of course, in Orange County we can avail ourselves of the capitalist invention of a mortgage.

Witty Wooster

Martin Morse Wooster's Magazines column in April ("Blood and Democratic Guts") is the most entertaining article I recall ever reading in REASON. Encore!

Mike Lenker
Houston, TX

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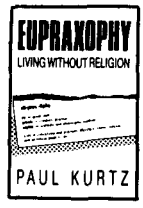
by Paul Kurtz



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OIL AND WATER

MARTY ZUPAN

In July 1977 the first barrel of oil from Prudhoe Bay flowed from the Trans-Alaska Pipeline at Valdez. By March of this year, 6.83 billion barrels of oil had been loaded onto 8;858 tankers at Valdez. Every one of them successfully exited Prince William Sound and went on its way. Then on March 14, 1989, the *Exxon Valdez* ran aground in the dead of night and spilled 0.000035 of that huge quantity of oil into Alaska's pristine coastal waters. It is a sobering thought that this relatively tiny amount of North Slope crude could have such widespread and long-lasting destructive effects that Exxon still has no estimate of how much the spill will cost the company.

Dead and stunted wildlife, oil-coated beaches, devastated fisheries—these environmental and economic effects are bad enough. It would be a tragedy of the worst sort if the spill also succeeded in perpetuating and augmenting unsound policies that do little to address the fundamental issues involved.

Environmental doomsayers who opposed the Alaska pipeline in the first place were wrong, and there has been far too little note of this. Before the *Exxon Valdez* spill, none of the predicted ill effects of Alaska drilling and the pipeline had come to pass. None. Nevertheless, oil has great potential to damage the environment, and we would wisely take pains to put in place a system where those who handle it have every incentive to do so with utmost care. Instead, various government laws and policies have served to *diffuse* and *undercut* responsibility for such disasters.

• Under the Clean Water Act of 1977, an oil company's liability for damages from a spill is limited to $100 million. Although Exxon vows to spend whatever it takes to clean up this spill and compensate injured parties, the more fundamental issue is whether a liability limit gives the appropriate incentive ahead of time to take due care.

• One of the precautions Exxon might have taken before the fact was to spend 10 percent more for double-hulled tankers. In the '70s, environmentalists urged double-hull construction to minimize the risk of holes that would actually leak oil in the event of such accidents as the *Exxon Valdez*'s. The Coast Guard, in charge of tanker safety, declined to require double hulls, reportedly under pressure from the oil industry.

• The Coast Guard is also in charge of licensing tanker crews. If the captain of the *Exxon Valdez* was indeed drunk, Exxon may bear responsibility. But what about the Coast Guard: Does it monitor licenses once issued? Does licensing create the illusion of safety but drive a wedge between employer responsibility and employee conduct?

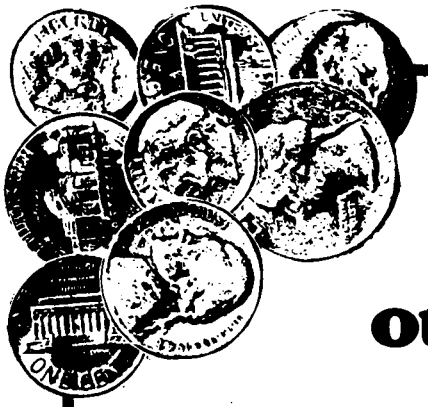
• The Coast Guard plays another crucial role: directing traffic through the sound. It seems that the Guard was tracking the *Exxon Valdez* on its radar screen on the fateful night. But if anyone was monitoring the radar system, why wasn't the tanker queried or warned as it headed several miles off its assigned course? Of course, the Coast Guard, unlike Exxon, will not be hauled into court and made to pay up. What are *its* incentives?

• In 1981, the oil industry consortium that owns the pipeline dispensed with a 20-member emergency team. The state of Alaska acquiesced. The state currently derives 85 percent of its $2.3-billion budget from oil sales and oil industry taxes. What kind of incentives does that relationship create?

Unfortunately, these are not the kinds of questions being addressed in the wake of the Alaska spill. Instead, those who already wanted to (1) raise the federal gasoline tax, (2) toughen fuel-economy standards for cars, (3) prevent exploratory drilling in northeast Alaska, and (4) block new drilling leases in any U.S. coastal waters have seized the opportunity to grab a clincher for their arguments.

Worst of all, those who bother to deal directly with the problem—preventing damage to Alaska's sensitive environment in getting oil out of Prudhoe Bay—propose a further dilution of responsibility. A *New York Times* editorial was typical in demanding that government establish an emergency response team funded by a per barrel tax on all oil companies and jointly controlled by industry and the governments involved. This in spite of evidence that many of the delays and snafus in responding to the Alaska spill could be laid at the feet of, in the words of one reporter, "a tangled string of state and federal agencies [that] has resulted in snarls on virtually a daily basis: equipment being sent to the wrong site, workers idled for hours while waiting for instructions, precious time squandered on official forms or permits or requests."

If the Alaska spill shows anything to



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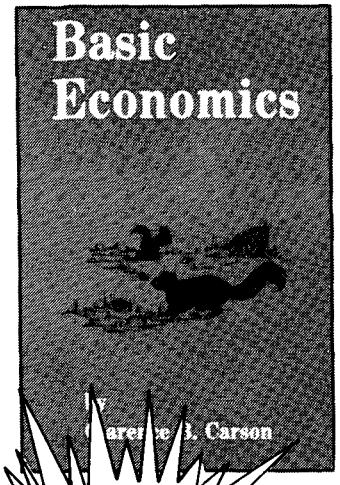

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NEITHER LIBERTY, NOR SAFETY

VIRGINIA I. POSTREL

In the recent movie *True Believer*, James Woods plays Eddie Dodd, a lawyer who once defended high-profile '60s protestors and now represents drug dealers who drive Porsches and pay cash. How could he sell out his ideals like that? asks a young law school grad who comes to work for Dodd, expecting the crusading hero he read about in law school. In a line the scriptwriters may or may not expect the audience to buy, Dodd replies that he hasn't sold out, that the battle for constitutional rights is now being fought in drug cases.

Cynical and fictional though he is, Dodd is right. More and more, Americans are being asked to sacrifice essential liberties to secure temporary safety from the "scourge of illegal drugs."

Over the last several years, the Supreme Court has steadily weakened citizens' Fourth Amendment protections against government searches. Considered in isolation, some of the decisions seem reasonable—why shouldn't the police be able to search people's curbside garbage, when anyone who wants to can carry it away? But the trend is ominous. Again and again, the Court has diluted the need for warrants or probable cause, and always in the name of fighting drugs.

It has, for example, declared that having a police helicopter hover only 300 feet above your yard doesn't constitute a search and therefore doesn't require a warrant. Now, I live near a police station that regularly dispatches helicopters to pursue suspects, and I know from first-hand experience that there are few things more intrusive than having a helicopter circle your house with a giant spotlight in the middle of the night—even when it turns out to have the wrong address. To allow such invasions of private property without a search warrant obliterates both the spirit and the letter of the Fourth Amendment.

More recently, the Court has upheld blanket drug testing of both Customs Service employees and railroad workers involved in accidents, even when there is no reason to suspect a particular person of using drugs. Indeed, Customs officials acknowledge that there is no drug problem among their workers and that drug tests of 3,600 employees have turned up only five positive results.

The government's only real reason for requiring such invasive tests, concluded Justice Antonin Scalia in his dissent, is to set an example of antidrug vigilance: "What better way to show that the Government is serious about its 'war on drugs' than to subject its employees on the front line of that war to this invasion of their privacy and affront to their dignity?...I think it obvious that this justification is unacceptable; that the impairment of individual liberties cannot be the means of making a point; that symbolism, even symbolism for so worthy a cause as the abolition of unlawful drugs, cannot validate an otherwise unreasonable search."

Nor has the erosion of liberties been limited to court decisions or to the Fourth Amendment. Drug czar William Bennett, whose very title connotes absolute power, made headlines when he analogized his position to Abraham Lincoln's, implicitly (some thought) advocating a suspension of *habeas corpus* rights. While Bennett did *not* actually call for abrogating that constitutional protection, he did declare that "the Constitution is not a suicide pact" and should be ignored when the end justifies that means. "This war is not for delicate sensibilities. This is tough stuff," he said.

So far, Bennett has used his czarist powers to block imports of semiautomatic weapons, even though drug dealers often prefer already-illegal automatic weapons. And he is asking for $80 million and extra police powers to fight drugs in the District of Columbia. Among the powers Congress is only too ready to grant is a curfew on young people. Going to or from a job will be the only legal reason for being outside after hours. Going on a date, running to the 7-Eleven for a snack, taking a walk—just generally exercising the fundamental right to be outside minding your own business—won't pass muster. And, of course, the curfew will undoubtedly ensnare more blacks than whites.

To try to wipe out the drug trade, we can give the police greater and greater powers and create new crimes, such as curfew violations, to yield new arrests. But the jails are already overflowing with drug suspects. In New York City, suspects caught in drug sweeps now spend three or four days in jail before being arraigned, versus a day and a night before the city created its Tactical Narcotics Teams (alias TNT). Courts there are so clogged that the Manhattan district attorney says he needs $3 million more just to hire enough attorneys and support staff to process cases. The jails are so crowded with prisoners waiting for trial that the city is going to turn its homeless shelters into makeshift jails.

The public hysteria over drugs is pushing the police to extremes. They are being called on to do the impossible—to rid a drug-loving nation of narcotics. Under such pressures, the police are bound to violate citizens' rights. Last year, for instance, two families in south-central Los Angeles experienced a terrifying ordeal, as police burst into their apartments, held them at gunpoint, ripped out walls and bathroom fixtures, shot up their television

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sets, and did tens of thousands of dollars of damage to the building in a futile search for drugs. The police department later admitted that the raid was uncalled for and violated department policy because it was led by low-ranking officers. In the current political climate, however, we can only expect such raids to become more common.

"History teaches that grave threats to liberty often come in times of urgency, when constitutional rights seem too extravagant to endure," wrote Justice Thurgood Marshall in his ringing dissent in the case involving the railroad-workers. Marshall is wrong on many things, but he is right about this.

PLANE OLD PROTECTIONISM

ROBERT W. POOLE, JR.

Protectionists are at it again, this time over the proposed U.S. and Japanese FSX jet fighter project. For once, the protectionists happen to be right—but for the wrong reasons.

The FSX was born as a compromise. The Japanese military is seeking a successor to its F-1 fighter, which was designed and produced entirely in Japan. General Dynamics tried to sell them the latest version of its successful but aging F-16, but the Japanese balked.

Against the backdrop of the U.S.-Japanese trade deficit and strong protectionist pressures, a deal was reached. Mitsubishi and General Dynamics would jointly develop an FSX derived from the F-16, to be produced mostly in Japan.

There's nothing that unusual about such collaboration. For years, the Japanese have been producing the McDonnell Douglas F-15 under license, as nine other countries do with the F-16. And General Dynamics is seeking a European partner to develop another F-16 derivative—the Agile Falcon.

But the Commerce Department, supported by protectionists in Congress and the media, began howling that the conniving Japanese were out to steal U.S. technology and displace yet another leading-edge U.S. industry—aerospace. Liberal columnist Robert Kuttner charges that FSX marks the beginning of the end for our commercial aviation industry.

If he's right, it's rather odd that neither of our two leading commercial jet makers—Boeing and McDonnell Douglas—opposes the deal. And that FSX has the blessing of the Aerospace Industries Association. Do these guys really want to cut their own throats?

Others charge that the Japanese are secretly planning to become a major arms merchant, thanks to FSX technology. That ignores Japan's constitutional ban on arms exports, as well as the small size of its aircraft industry, which makes economies of scale—hence, competitive prices on world arms markets—quite unlikely.

Nor is the FSX deal a one-way transfer of technology. The Japanese would be sharing their technology for making wings entirely of composite materials, as well as for a miniaturized phased-array radar.

So the protectionists are simply wrong in their arguments against the joint project.

That said, however, the FSX project is a bad deal at a more fundamental level. It's bad for taxpayers—both Japanese and American. And it's symptomatic of much of what is wrong with military procurement policy in the West today.

Protectionism has become the name of the game in Europe and Japan—aided and abetted by U.S. defense policy. Very few major weapons systems in Europe are put out to truly competitive bidding. All too often, a deal is negotiated with the major domestic aircraft firm or shipyard—for a small production run at very high cost. Occasionally, two or three European firms create a joint venture. But generally the coordination problems lead to lots of additional bureaucracy. Combine that with small production runs, and the results are still very high costs.

Right now the French and Germans are shopping for a new antitank helicopter. Instead of buying something like the United States' hot new AH-64 Apache, they will very likely design and produce a brand-new chopper—at about twice the unit cost. And the British appear likely to buy the less-capable Challenger-2 tank rather than the U.S.-built Abrams, which its officers apparently prefer.

Why does this continue to go on? For the same reason that the Japanese pay 1.5 times the U.S. price for home-assembled F-15s: to provide jobs at home. In other words: protectionism. But why do European and Japanese taxpayers stand for it? Because they are shielded from the true cost of providing their countries' national defense by...you and me.

It is the $160 billion that we spend defending Europe and Japan that permits them to indulge in such blatant protectionism. If we phased out this defense welfare, and the true burden of national defense became more apparent, taxpayer revolts in Europe and Japan would make outcries over $64 hammers and $300 toilet seats look trivial.

U.S. defense policy ought to have a major goal of weaning Europe and Japan from the defense welfare teat. In the case of Japan's FSX fighter requirement, our policy should be: if you want to indulge in protectionism, be our guest—but at your own expense. If you want to design and build your own fighter, at three or more times the cost of buying F-16s, go ahead. But don't expect the U.S. Air Force F-15s to remain based in Japan to defend your air space. They're coming home.

Europe and Japan are industrial giants. They are fully capable of defending themselves and making their own decisions. It would be a shame if their governments continue to subject their taxpayers to the outrageous costs of defense protectionism. They're far less likely to do that if we cut off their welfare checks.

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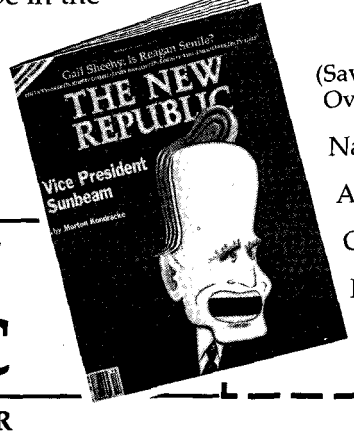

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THE NEW REPUBLIC

THE MINDS THAT MATTER

Bad Medicine

Some lawmakers in Washington have decided that the latest problem to be cured is health insurance, or rather, the lack of it. But their proposed cure may be worse than the disease.

As many as 35 million Americans have no health insurance. The uninsured run up about $4 billion annually in unpaid hospital bills. Now, Sen. Edward Kennedy (D-Mass.) is sponsoring legislation based on Massachusetts's mandatory program (see "Medical Mystery Tour," Aug./Sept.). But new studies indicate that mandated health insurance may do more harm than good.

Federal law prohibits states from requiring specific insurance plans. Massachusetts gets around this rule by making employers pay a state tax equal to 12 percent of salary up to $14,000 for each employee. From this tax, employers can deduct whatever they spend on the employee's health insurance.

Critics contend that the Massachusetts law will increase unemployment. Economists Attiat Ott and Wayne Gray of the Boston-based Pioneer Institute estimate that the plan will force Massachusetts businesses to increase spending on employee health insurance by at least 32 percent, an additional cost of $642 million or more in the first year. That higher labor cost, Ott and Gray further estimate, will wipe out at least 9,000 jobs. If the Massachusetts plan were adopted nationally, they conclude, it would cost business $23 billion annually. As many as 358,000 jobs would be lost nationwide.

Kennedy's bill differs slightly from the Massachusetts plan, since the federal government, unlike state governments, can require specific insurance coverage. The bill requires most employers (those subject to the federal minimum-wage law) to provide health insurance covering all hospital and physician care, as well as prenatal and well-baby care, for the family of any employee who works more than 17.5 hours a week.

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The Congressional Budget Office estimates that the bill would require employers to spend $27.1 billion more each year on employee health insurance. But that estimate is low, contends a study by the Institute for Research on the Economics of Taxation.

According to IRET, the CBO's estimate of average annual premiums of $780 for single coverage and $1,798 for families falls short because it relies on a 1977 survey. Basing its figures on a 1985 study of what businesses actually spent on health insurance, IRET concludes that the actual costs of premiums would be $1,200 for singles and $2,892 for families. The total cost to business: $100.2 billion a year.

Both sides agree that higher costs will lead to greater unemployment but squabble over how many jobs would be lost. Critics charge 1 million, while supporters of the Kennedy bill hold that "only" 100,000 people would be left jobless.

—Charles B. Oliver

Taxing Solutions

If higher taxes would balance the federal budget, it would have been balanced long ago. Contrary to popular belief, federal tax revenue is at an all-time high. Tax increases since 1980 have allowed the government to take $1.5 trillion more from Americans than it otherwise would have collected during this period.

Action	Additional Taxes
1983 gasoline tax increase	$28 billion
1987 budget summit	31 billion
1983 Social Security tax increase	90 billion
1984 Deficit Reduction Act	101 billion
Social Security tax increases enacted before 1983	287 billion
1982 Tax Equity and Fiscal Responsibility Act	311 billion
1982-85 bracket creep	650 billion
Other	10 billion
Total	**$1,508 billion**

Source: Citizens for a Sound Economy

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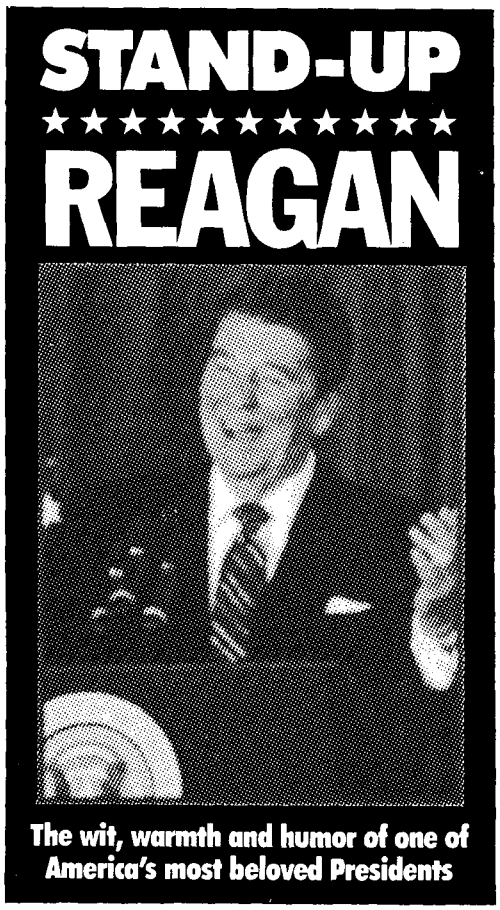

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BALANCE SHEET

Assets

ConFusion. Two chemists put $100,000 of their own money into a tabletop experiment and come up with fusion in a jar. If true, it will make a great movie (not to mention the boon to humanity). And even if it doesn't pan out, the experiment points up the folly of centralized science planning: millions for Tokamak and not one penny for the crazy ideas that just might work.

Ballot Initiative. Soviet citizens use the first quasi-real elections since 1917 to cast a remarkable number of protest ballots. Yeltsin gets headlines and None of the Above gets votes, as dissatisfied citizens force unopposed candidates into runoffs by crossing out their names. Not to engage in moral equivalence, but maybe we could apply that trick to U.S. House elections.

Getting Personnel. The looming labor shortage promises the old Humphrey-Hawkins dream—a job for everyone who wants to work but, in this case, without government financing. Employers adjust to a less-than-perfect workforce. McDonald's installs cash registers that illiterates can run. Employee education booms, especially after-work English classes in immigrant-rich areas. At White Storage & Retrieval, in Newark, N.J., two-thirds of the 275 production employees study English; flush with that success, the company will add math, blueprint-reading, and computer skills.

Crimson and Clever. Harvard rebuffs its Critical Legal Studies contingent. The new law school dean, Robert Clark, finds their attacks on science, the rule of law, and Western civilization not only wrong but dangerous. What's more, he served as faculty advisor to the libertarian/conservative Federalist Society. Crits squeal. Ordinary Harvard liberals sigh with relief.

Liabilities

China Blues. China strains toward a "new authoritarianism," and Bush wimps out. When Beijing bars dissident Fang Lizhi from a banquet with the president, U.S. diplomats and journalists cast about for someone to blame for the *faux pas* of inviting him. In talks with Chinese leaders, Bush fails to bring up Tibet—or to mention Wei Jingsheng, imprisoned since 1979 for advocating democracy. Wei has reportedly gone mad from solitary confinement; Chinese officials unabashedly note that the West doesn't care.

Sour Note. Symphony orchestras are the last, and perhaps first, bastion of truly color-blind hiring. Musicians audition from behind a screen. Dissatisfied with the results, Michigan lawmakers tell the Detroit symphony to hire blacks or face defunding. "It's impossible for me to go to Detroit because of the atmosphere," says James DePriest, a black conductor who turned down a job there. "People mean well, but you fight for years to make race irrelevant, and now they are making race the issue."

Mommy Flak. Felice Schwartz catches it for advocating flexible jobs that many working mothers would jump at, even if it meant slowing down the old career track. The "Mommy Track" furor points up official feminism's petulant refusal to acknowledge trade-offs. Treating women as equals doesn't entail the right to be CEO without working ridiculous hours. Sure, male honchos have kids; but they never see them.

Mass Hysteria. New York City picks Timothy Healy to head its public library. All hell breaks loose. Healy is an eminent scholar, president of Georgetown—and a Jesuit. Anti-Catholicism is the last bigotry acceptable in intellectual circles. Sundry writers, notably Gay Talese and Joseph Heller, charge Healy can't possibly tolerate the pursuit of truth. What if the pope calls up and wants to ban *Catch 22*? These guys obviously know nothing about the Jesuits, but have they really never heard of *quitting your job*?

—Virginia I. Postrel

Franking the Taxpayer

Newly elected House Whip Newt Gingrich (R-Ga.) is upset with the House Democratic leadership. Again.

Gingrich first gained the national spotlight in 1985 when he drew then-Speaker Tip O'Neill before television cameras in a rancorous debate on aid to the Nicaraguan Contras. Last year, Gingrich initiated the House Ethics Committee's investigation of Speaker Jim Wright.

Gingrich's latest target is a planned increase in Congress's franking budget. The current 1990 budget calls for $114 million to send out "official mail," at taxpayer expense. That's almost double the $61 million allocated for franking privileges in 1989. (Although legislators aren't supposed to use the frank to send campaign literature, official mailings keep their names in front of voters, and the amount of taxpayer-funded mail usually doubles in election years.)

Newt Gingrich: frank about congressional mail privileges

Gingrich "would definitely like to see the taxpayer save some money on junk mail pieces like newsletters," says press secretary Sheila R. Ward. Congress sends out 12,000 pieces of mail for every letter it receives.

If Gingrich is looking for another issue to advance his political career, he may have found it. In February, intense public pressure forced Congress to give up a planned 50 percent pay raise. And while legislators insist that constituents appreciate the news their mailings bring, the one time that voters were asked their opinion on franked mail, they voted no. Last fall, 58 percent of California voters approved an initiative that banned all mailings of more than 200 pieces by state legislators.

—Charles B. Oliver

A Yen for Dollars

Advocates of strict monetary policies such as the gold standard can be grateful for a small favor. The Federal Reserve has taken a micro-step toward a more stable currency. As of January 1990, *if* a proposed rule isn't changed before it goes into effect, commercial banks may begin offering savings accounts in foreign currencies. When you deposit your paycheck, you can ask for it to be held in pesos, lira, or whatever. The rule will make it easier for people to make contracts in foreign currencies—providing a potentially powerful check on the government's ability to manipulate the dollar's value.

The importance of this change can be understood with a simple economic analogy. By lending money to member banks, the Fed "sells" dollars to the public. If Americans can easily "buy" foreign currencies at their local bank, the Fed can sell its dollars only by competing successfully against the currencies of foreign countries. When Americans hear the money presses start running, they could react quickly to the threatened increase in the money supply (which devalues the dollar) by switching to foreign currencies.

Already, institutional investors and wealthy individuals can achieve the same result through overseas investment firms. The new step mainly benefits smaller investors, as well as U.S. banks now barred from offering foreign-currency accounts except through overseas branches. But it's not clear how many smaller investors will want to hedge against inflation in this manner nor how many commercial banks will offer the service.

The real beneficiaries of the new rule may be U.S. companies with international business. In contracts with Japanese companies, for example, they can agree to pay in yen when products are delivered. By keeping enough yen in the bank for the upcoming payment, they won't have to worry about fluctuations in the yen/dollar exchange rate. Most European countries, perhaps because they rely more on foreign trade than does the United States, already allow their banks to hold foreign-currency accounts.

—Craig M. Collins

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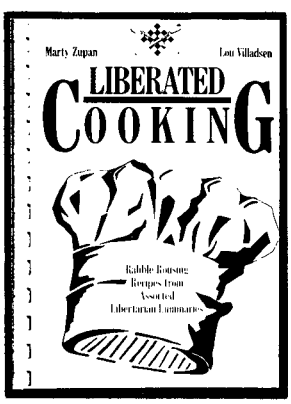

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Everybody on the Bus

In Houston, as in many other cities, there are poor people whose success in getting to jobs or anywhere else depends on their ability to breathe life into rusting hulks of superannuated gas guzzlers or to negotiate the vicissitudes of public transportation. So Alfredo Santos, a taxi driver, decided in the summer of 1983 to try something new.

In some predominantly Mexican neighborhoods, he began offering rides based on the Mexican *pesero* system: riders would share the vehicle but could travel up to five miles for $1.00 each. Unlike public buses, Santos would drop off passengers anywhere they wished within this five-mile limit.

People loved it. "We'd drive up and down in the 90-degree heat," says Santos, "and say, 'Hey, man, where are you going? Downtown? So are we.' "

He kept his cab full and his passengers happy. Pretty soon friends who also drove taxis joined him. They advertised their service with Spanish-language flyers and on Spanish radio stations. But when they tried to expand the business by advertising in English, executives at the Yellow Cab Co. found out.

Soon, Santos could no longer sublease a Yellow cab. To make matters worse, the city taxi inspector dusted off an 1924 antijitney law—probably passed to protect streetcar companies from competition—and told Santos to shut down his jitney service. "Until then," says Santos, "I'd never even heard the word *jitney*."

Today, he is an expert. Santos has earned a master's degree in transportation planning. (*Jitney*, he explains, is a 1920s-era slang term for a nickel. Until jitneys were banned, Model-T owners would offer shared-ride service for five cents.) A former labor activist for Cesar Chavez, Santos is now, says his lawyer Clint Bolick, a "born-again capitalist."

Bolick is director of the Landmark Legal Foundation's Center for Civil Rights, a Washington, D.C.–based public interest law firm. In April he filed a lawsuit on behalf of Santos to force the city to overturn the law. The center's goal, says Bolick, "is to reinvigorate economic liberties as fundamental civil rights." Many regulations such as Houston's ban on jitneys adversely affect minorities in particular.

In March, the center won a suit in federal court challenging a District of Columbia law that forbade outdoor shoeshine booths. A black entrepreneur named Ego Brown had been put out of business by the law (see "Battered Ego Brown," Aug./Sept.). Bolick came to his rescue, arguing that the ban was the economic equivalent of a Jim Crow law and might have been designed to limit opportunities for blacks. The judge found the law unconstitutional under the Fifth Amendment's due process clause.

Pending the resolution of Santos's suit, Yellow Cab is again allowing him to drive a cab on the condition that he charge passengers according to the fare box, which he says he does "most of the time." Says Santos, "You can't stop a good idea."

—Craig M. Collins

Trading Votes

Our legislators voted for free trade less than half the time during the 100th Congress, according to the Competitive Enterprise Institute. Senators opposed protectionism 42.7 percent of the time, down from 45.1 percent during the 99th Congress. In the House, representatives voted for free trade 38.5 percent of the time, up slightly from 35 percent during the 99th Congress.

CEI studied 24 Senate votes and 17 House votes on trade issues. Among the bills were proposals to limit textile and apparel imports, require disclosure of foreign investment in the United States, restrict use of imported cement in highway construction, and expand various forms of trade protectionism in the omnibus trade bill.

In the House, 15 Republicans had perfect scores, supporting free trade 100 percent of the time. Included in this group were Jack Kemp (now secretary of HUD), Phil Crane, Robert Dornan, Al McCandless, Robert Badham, and Minority Leader Robert Michel. House Whip Dick Cheney—now secretary of Defense—voted for trade 94 percent of the time, and Republican conference chairman Jerry Lewis (the number-three Republican) followed closely with a 93. House Republicans averaged 71.9, almost exactly the score earned by new Whip Newt Gingrich (71).

On the other side of the aisle and the other end of the spectrum, 31 House Democrats, including Speaker Jim Wright, scored zero, opposing free trade on every vote. Perennial REASON target John Dingell scored only a 7. But House Majority Leader Tom Foley had one of the highest scores among House Democrats, 53. House Democrats averaged only 15.2.

In the Senate, Daniel Evans of Washington state was the only member to score a perfect 100. He was followed closely by fellow Republicans Gordon Humphrey (96), Rudy Boschwitz (92), Phil Gramm (92), John McCain (91), and Dan Quayle (90). Bringing up the rear among Senate Republicans were Pennsylvanians John Heinz (15) and Arlen Specter (18), William Cohen (17), and Strom Thurmond (26). Senate Republicans earned an average score of 63.

The lowest overall rankings in the Senate were obtained by Democrats John Melcher (4), Richard Selby (4), Dennis DeConcini (5), Carl Levin (8), and Howard Metzenbaum (10). Brock Adams joined fellow Washingtonians Evans and Foley at the top of the ratings. Adams's 61 was the highest score among Senate Democrats, followed by Bill Bradley (58) and Bob Graham (54). That "conservative son-of-the-South" Sam Nunn scored only 38. The average score of Senate Democrats was 26.

Tom Miller, who surveyed and analyzed the votes for CEI, notes that "the 100th Congress did more than its share" in imposing trade barriers. The only good news, he contends, is that "there's not much more damage that Capitol Hill legislators can do."

—Charles B. Oliver

Slippery Slope

Climbing up the sheer rock face of a mountain supported by ropes no thicker than your middle finger and wearing a helmet, yes, but otherwise no more protective gear than a t-shirt, shorts, and sneakers—this can be dangerous. Proper training can make it safer. That seems logical and obvious. Less logical though increasingly more obvious these days is that our legal system creates another kind of danger—financial destruction—for any group that might offer this kind of training.

The Sierra Club has discontinued its rock-climbing and mountaineering school rather than pay an insurance premium of $325,000, which would more than triple the club's total insurance bill. The insurance company hiked the premium this year, club financial director Andrea Bonnette explains, after settling several claims in the past few years for serious injuries. The courts no longer recognize individuals' choices to take risks (see "Courting Danger," April).

"The insidious thing about this," says Bonnette, "is that all people, even those who want to engage in dangerous sports, want to do so in a risk-free environment. They make a conscious choice to engage in activities that most people would consider dangerous. They knowingly go into this with their eyes open about the risks, and they get injured and then turn around and expect to be rewarded."

As in many other cases, the courts' obsession with making life risk-free may in fact make mountaineering less safe. People may continue to climb but without proper training. Says Bonnette, "If you have a passion, you'll pursue it."

—Craig M. Collins

FYI

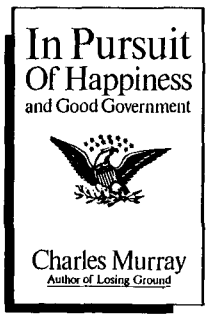
Groups or individuals mentioned in this month's Trends:

Medical Policy
Pioneer Institute
1105 Commonwealth Ave., #203
Boston, MA 02215
(617) 254-1877

Houston Jitney
Clint Bolick
Landmark Legal Foundation
Center for Civil Rights
107 2nd St., NE
Washington, DC 20002
(202) 546-6045

Trade Rating
Competitive Enterprise Institute
233 Pennsylvania Ave., SE
Suite 200
Washington, DC 20003
(202) 547-1010

IN PURSUIT



Charles Murray is no stranger to controversy. In his bestselling book *Losing Ground*, he demonstrated how government programs designed to help the poor were, in fact, hurting them.

Now, with IN PURSUIT he continues his assault on government, arguing that its all-pervasive influence stifles our pursuit of happiness. Murray argues that, by making itself society's chief problem solver, government has crippled our ability to make choices and act on our individual initiatives in important areas of our lives.

Through provocative "thought experiments," fascinating case studies, and keen analyses of social and economic statistics, Murray shows us exactly how our dependence on government impedes our pursuit of wealth, safety, self-respect, and enjoyment—and he demonstrates how government hand-outs not only have failed to help minorities and the poor, but have impoverished all our lives.

IN PURSUIT is a book that is certain to spark spirited debate. No reader will ever view the role of government in quite the same way. As Ken Auletta says, "Charles Murray will infuriate people, but he will make them think."

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WHO'S BEHIND THE CHILD CARE CRISIS?

Slowly but surely, politicians and regulators are destroying the many child care options that do exist.

Culver City, California, is trying to run Linda Beasley's business out of town. No, Beasley doesn't sell drugs or pornography. She doesn't dump toxic waste or spew black smoke into the smoggy skies. She has no obtrusive, flashing sign—or any sign at all—and no parking lot clogged with cars.

Linda Beasley takes care of children, about nine a day, in her home on a quiet cul-de-sac a few blocks off a busy commercial thoroughfare. From the street, the house looks like any other in this Los Angeles–area community. On a weekday afternoon, the only difference between it and its neighbors is a van parked in the driveway. The other driveways are empty, their owners away at work.

BY VIRGINIA I. POSTREL

Similar driveways are empty all over America. Fifty-seven percent of mothers with preschool children work outside the home. For those with school-age kids, the number jumps to 72 percent. As a result, say politicians and day-care advocates, we are now faced with a day-care crisis requiring federal intervention.

The preferred "progressive" bill, the Act for Better Child Care (ABC), would establish an elaborate $2.5-billion program to funnel money through the states to help low-income families pay for day care in approved homes and centers. Not all the $2.5 billion would go directly to parents, however, since the bill requires states to spend some of the money on grants and loans to day-care providers, stepped-up enforcement of child care regulations, and various studies. To stop the ABC steamroller, President Bush is pushing a tax credit for low-income families with kids.

Everyone in Washington seems to agree—day care is a pressing public issue that demands that the federal government *do something*, and soon. "There's tremendous awareness within both parties that they've got to respond to the child care issue," says Helen Blank, child care director for the Children's Defense Fund, a welfare-rights lobby that is spearheading the drive for ABC. Comments conservative Sen. Daniel R. Coats (R-Ind.), "It's not a question of whether or not we're going to do something on child care this year, but the direction it's going to take."

Meanwhile, in Culver City and cities and states throughout the country, other politicians and regulators are doing their best to stop day care. Sometimes intentionally, sometimes not, they are wiping out the small, decentralized homes that provide intimate, inexpensive child care. They are making it impossible for small companies to provide on-site child care for employees. They are keeping nannies out of the country. Slowly but surely, they are destroying the many child care options that *do* exist. We then hear cries of "crisis" and demands for federal subsidies to fund a limited range of options.

Zoning regulators would deprive Culver City children of the individual attention Linda Beasley provides.

In some ways, Linda Beasley is lucky. The pro–day care forces are on her side. She is licensed by the state to care for as many as 12 children, as long as she has another adult to help her. She usually keeps the ratio lower, with as many as three adults overseeing six to nine kids. She charges $25 a day for full-time care and specializes in children who haven't been toilet-trained—the hardest to find care for. With two children of her own (ages 6 and 2 ½), a master's degree in education, and years of experience as a secondary-school teacher, Beasley seems ideally suited for this work. As groggy toddlers wander into her sunny kitchen from the room she has darkened for their naps, she gently pulls on their shoes and socks, paying special attention to each child before sending them outside to play.

For three years, Beasley has been fighting city planners for the right to take care of these children. "They view this as commercial activity, and they do not want it happening in residential neighborhoods. They've said that over and over again," she says. "They *specifically* compared it to liquor stores and convenience stores at one planning commission hearing and said that they feel that this is a terrible invasion of residential integrity."

At first, the city told Beasley she couldn't care for *any* children. Fortunately, she knew better. A California state law gives people the absolute right to run small licensed day-care homes, those with six or fewer children. And "group homes" like Beasley's can't be zoned out entirely, only subjected to restrictions.

So city authorities tried restrictions that would make running a day-care home impossible. The worst was requiring an off-street, covered parking place for each employee, with neither the garage nor the driveway as an option—a requirement so onerous in this city of small lots that it couldn't stand up under state law. Next, city planners tried to attach permanent restrictions to Beasley's deed, regardless of whether the house was used for child care.

Finally, after a series of court appeals, the city is down to two restrictions: First, large day-care homes cannot violate the "residential character" of a neighborhood, a vague provision that could give the city wide latitude to keep out day care. And, second, the child care provider must notify property owners within a 300-foot radius, giving them a chance to lodge official complaints. In Beasley's case, that meant 45 different people, only one of whom voiced any objections when notified.

Beasley's permit is finally in the mail—or so they tell her. Over the years, she has discarded a lot of illusions about the

JONATHON NOUROK

responsiveness of local officials. Living in a smaller city has actually proven a disadvantage. "In Los Angeles, if you're lucky and nobody complains about what you're doing, you have to go through an incredible amount of bureaucracy. But if you do it, you will wind up with a permit in a reasonable amount of time, reasonable being six months," she says. "This has been going on for three years."

Even if you live in the big city and try to follow the rules, you can wind up in big trouble. Josephine Romano is a pseudonym for a licensed group home provider who is so afraid of further offending her powerful city councilman that she doesn't want her name used in this article. For four years, she had a state license and a city permit to care for up to 12 children in her West L.A. home. About a year ago, she moved five blocks to a larger house. She and her husband bought it with her day-care business in mind. An alley on one side allows parents to drop off kids without disturbing the neighbors, and a small guest house in the fenced backyard provides an ideal classroom.

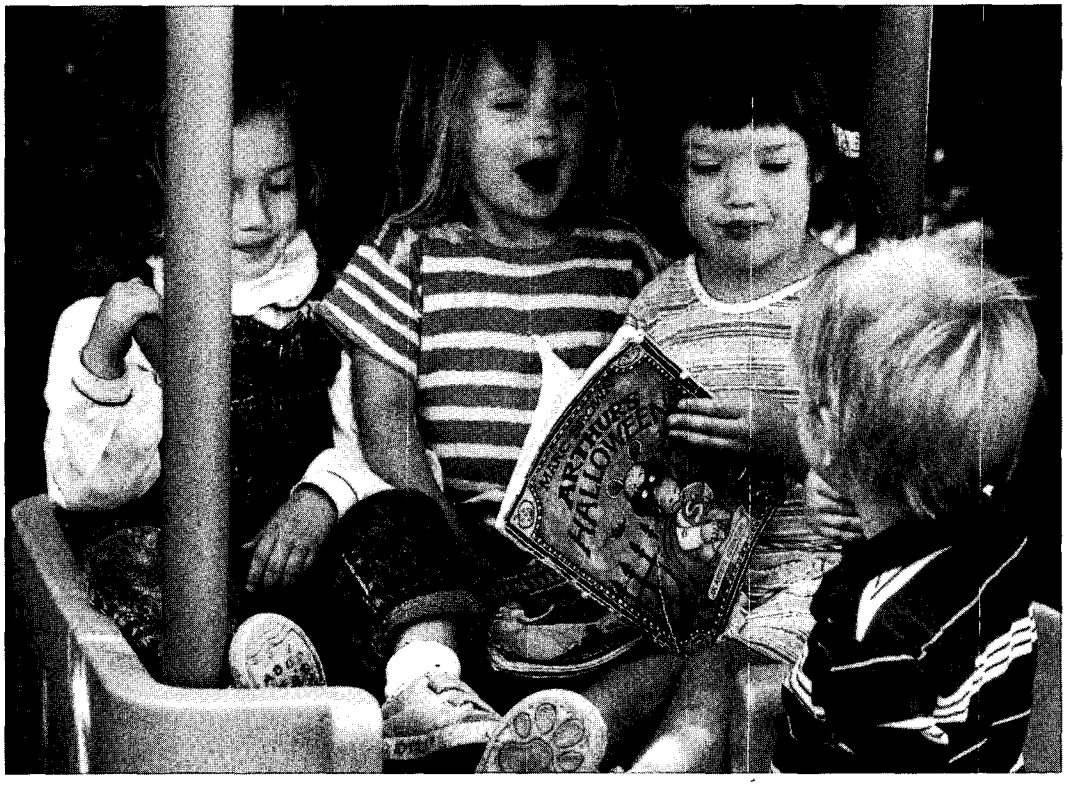
Romano has 20 children enrolled in her program; some come either two or three days a week, ensuring a full complement of 12 at any given time. She charges $120 a week full-time, $25 a day part-time, and employs two helpers—a recent high school graduate and a grandmother who has been with her for three years. Unlike the many family day-care providers who specialize in infants, Romano accepts kids at 18 months, then sends them on to kindergarten when they're five.

"The caliber of parents that I have want the kids to be in a home atmosphere but at the same time learning the academics for kindergarten," she says. So she does arts and crafts and science experiments with the children, takes them on weekly field trips, and teaches them gymnastics. Her yard and classroom feature top-quality play equipment—the kind you might expect in a full-fledged nursery school—paid for by the annual candy sales she requires of her charges' parents. Romano has a bachelor's degree in criminology, with an emphasis on juveniles, but she went back to school for an associate degree in child development when she decided to change professions. A down-to-earth woman surrounded by happy, well-behaved children (including her three-year-old daughter), she seems like a parent's fantasy day-care provider.

Romano has been in the family day-care business since 1980, and she knows the regulatory ropes. Before she and her husband bought their house, she checked with the city to make sure there would be no trouble getting the required permit. The application process, she was told, would take 70 to 90 days.

But when she picked up the long, detailed application, she discovered that it required not only information about her and her program but also interior and exterior plans of the house and yard—a burdensome requirement imposed by many cities. It took her a month after moving to measure the house and draw the interior floor plan. After several futile attempts to do the exterior diagrams herself, she finally hired a professional. When everything was completed, she gave the application to her husband to take to work for photocopying.

"That same morning," she says, "there was a little knock



JONATHON NOUROK

Beasley's charges at play. City planners view this as a commercial activity, analogous to liquor stores and equally inappropriate in a residential area.

at my door. It was building and safety, with a $1,000 citation."

Her neighbor across the street—the only person who wasn't home when Romano visited all her neighbors to introduce herself and let them know what she was doing—had complained that she was providing day care illegally. She wasn't, she told the inspector. The state licensing authorities and the fire department had already come out and cleared her, and she was ready to file her city application. She showed him the papers. He was unmoved. "So I had to take many days off to go fight this citation," she says, disgusted. The fine was eventually lifted.

The only systematic study of family day care found "stable, warm, and stimulating" care, regardless of whether the homes were licensed.

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To make matters worse, the same disgruntled neighbor, whom Romano had never even met, sicced the health department on her, claiming that she was operating a preschool. The health inspector arrived while she was out on a field trip with half the kids, leaving the other children with her helpers. The inspector pushed his way into the house and began opening cupboards and the refrigerator. He cited Romano for not having separate bathrooms for the teachers and the children, for using regular household locks, and for lacking a commercial-type thermostat in her refrigerator—standards that aren't supposed to apply to day-care homes under state law. Again, Romano had to take time off to go down to city hall and defend herself, again successfully. The neighbor also called the fire department, whose inspectors were rather confused when they found themselves back in a home they'd approved only weeks before.

Finally, the neighbor confronted Romano directly. "She came over and she told me to move back on the other side of the tracks, that she would do whatever she could to get me out of this home, that she didn't want a McMartin Preschool [the site of alleged sexual abuse of children] across the street from her and that she was very friendly with the homeowners' association and they would get me out of this neighborhood," she says. "So, of course, I was very concerned."

And rightly so. To get her city permit, Romano had to ask the approval of all her neighbors within a 100-foot radius. Twelve of the 14 neighbors, older people who had lived in the neighborhood for decades, supported her. They even came to the city hearing on her behalf. So did the parents whose children she takes care of. So did someone from the mayor's office.

But the homeowners' association sent a representative to oppose her. So did Councilman Zev Yaroslavsky, one of the most powerful politicians in Los Angeles. Within his district, Yaroslavsky wields considerably more influence than the mayor, or anyone else, for that matter. His aide stressed that the councilman supports day care—in the abstract, that is. But Romano's concrete program, with its real-life kids and actual parents who pay the bills without government help, is another matter. The homeowners' representative "said I was like a 7-Eleven in her neighborhood," says Romano, and Yaroslavsky's aide charged that the neighborhood needed protection from her business.

Romano's unapproved status infuriated the zoning administrator, James Crisp. "He said that I was just like a drug addict, I was just like a prostitute," says Romano. "I brought these children five blocks away to an unapproved-zoning home, and how dare I, and I broke the law. *I could not believe it.* It's not like I'm a prostitute—what did he think I was? True, I might have broken the law in that I came here without the approval. But the way the system's set up, what was I supposed to do?"

Finally, Crisp said he'd approve her application under certain conditions, which he'd send by mail. For the most part, Romano thought the conditions were reasonable. Having paid $400,000 for her home (that buys an ordinary three-bedroom house in L.A.), she wasn't about to hang some big sign out front or set up play equipment in the front yard. But the administrator slapped on some intolerable conditions: If a single child arrived a minute before 8:00 A.M. or remained a minute after 5:30 P.M.—Romano's normal hours—the city could close her down. And when the permit was up for renewal in a year, Crisp's and Yaroslavsky's offices would have the sole authority to determine whether it was renewed. Romano appealed the conditions to the full zoning board but got nowhere.

In the meantime, however, the city has decided it needs a specific ordinance to deal with large family day-care homes. Romano and her fellow child care providers are hoping for some relief. "We want to do day care," she says. "We don't want to be spending our entire time on the phone, getting petitions, calling attorneys. For the first nine months after I moved here, I was never with my day care because I was always downtown fighting all these citations, worrying about the board of health, all these complaints. There is no problem. My immediate neighbors love me, love the kids. You don't need a few people who just don't want you across the street to cause all these problems."

Now she wishes she'd never let anyone know she keeps more than six kids. Her advice to other day-care providers is to go underground: "Say you're licensed for six and don't worry about the city. Because unless you have to deal with it, why should you go through it? No normal person wants to cause all these problems to yourself. Even though we want to be legal, the system makes us illegal."

Zoning disputes fly in the face of politicians' frequent claims to care about day care—witness Councilman Yaroslavsky's behavior. But zoning laws are not, fundamentally, *about* child care. All too often, however, the source of day-care shortages is the very attitude behind the ABC bill—the notion that child care is too important to be left up to ignorant families and that the government must "do something" about the problem.

Most states express that attitude by licensing day care. Whenever tragedy strikes—and no human activity is risk-free—the cry goes up for tougher state controls. "Licensing is born of tragedy and scandal," said Carolynne H. Stevens of the Virginia Department of Social Services in a *Washington Post* interview. But licensing laws can lull parents into a false sense of security. And these laws attempt to ensure not only health and safety but also educational standards approved by child care experts (many of whom stand to gain by restricting entry into their profession). Licensing laws typically comprise a hodge-podge of different standards for different types of institutions, with some rules based on academic studies, some on common safety sense, and some on anonymous lawmakers' guesswork.

States usually regulate the number of children per provider, the square footage of play space inside and outside, children's naps and meals, and some health and safety features (fenced-in play yards, clean food-preparation areas, smoke detectors, and so on). Rules are stricter for day-care centers than for homes, and many states exempt church-based centers from regulation. Some states require special training or credentials for day-care workers, especially those in centers; day-care lobbyists are always pushing for more credentials. In response to fears of child abuse, 32 states require a criminal background check on all day-care center employees, while 26 either have or plan to institute similar requirements for family day-care providers.

Even the reasonable-sounding criminal-record check can backfire, however. Eula Mae Calhoun, a Florida child care provider, found her license revoked after such a law passed because she had an eight-year-old drug felony conviction. Not only parents but also state social workers and the judge who upheld the state's action acknowledged that she had an "exemplary" record taking care of children and that she no longer used drugs. A criminal background check can also add weeks or months to the licensing process and still not catch the real problems. In a Colorado case, for instance, the check didn't catch a man who had been acquitted of sexual abuse charges by reason of insanity; he was discovered only after he was again caught abusing children.

Despite the widespread belief that state licensing somehow ensures quality care, an estimated 80 percent of family day-care providers—those who operate out of their homes—go unlicensed. This figure is a major factor behind statistical "proofs" of a tremendous shortage of child care. Unwilling to recognize that unapproved day care may meet parents' needs, day-care advocates conveniently leave it out when demonstrating that the supply of child care falls short of demand.

Licensing laws comprise a hodge-podge of rules, some based on academic studies, some on common safety sense, and some on lawmakers' guesswork.

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For example, *Chicago Tribune* reporter Maria Hunt, in an article implicitly advocating increased Du Page County aid to day care, wrote that "there are 370 licensed day-care homes in the county, according to the state Department of Children and Family Services, but all the infant and toddler spaces are full." She noted that most kids aren't taken care of in centers or day-care homes. "Parents work split shifts, or enlist relatives to help, or illegal unlicensed babysitters are used." Indeed, census data show that relatives care for about half the preschool children of working mothers—hardly grounds for government intervention. And how many parents have never employed an "unlicensed babysitter," if only to go out on a Saturday night?

When unlicensed family day-care providers get caught, they often shut down rather than deal with the paperwork and inspections. State laws thereby deprive children of much-needed continuity and parents of dependable child care. Writing in the *Washington Post*, working mother Judy Kaplan Warner lamented both the loss of her child's day-care "Grandma," who closed down after the state caught her caring for children without a license, and the attitude underlying the licensing process:

"Gladys has been caring for my Susannah three days a week for almost two years, since she was 10 months old. Most of the other children have been there almost as long. They are like a family. Gladys is a retired checkout clerk who has a magical touch with children....She plays with them, sings with them, and comforts them. She changes their diapers and puts them down for a nap. Every day, unless it is pouring rain, Gladys takes the children out to play for an hour or two on the swings in her back yard, on the tricycles in her driveway or running up and down the sidewalk....

"Like the thousands of other parents who put their children in unlicensed homes, we believe we know better than anyone else—the state, the county, the federal government—what our children need to thrive. And we can see for ourselves that our children are thriving. I have a master's degree in child development, but I don't need any academic credentials to see that my child is getting good care....No wonder there is a crisis in day care. While Congress discusses subsidizing day-care centers to

solve the 'shortage,' the state closes down day-care homes that parents have chosen for their children. And in the process, my daughter will become less secure and less trusting and is certainly in for a period of great sadness."

State laws not only shut down existing day-care options, they deter people from providing care in the first place. The licensing process often scares off companies that might want to provide day care for employees, says Tricia Acevado of the Child Care Information Service, a Pasadena, California, organization that advises would-be day-care providers.

To get the prelicensing applications, people who want to open day-care centers have to sit through a disorganized, three-hour, jargon-filled meeting with state regulators. "If you're from a business background, you won't understand what they're talking about," says Acevado. "They fling it out in all the initials, and you're going, What's that mean? What's that mean? They give you a dirty look, and sometimes they answer and sometimes they don't." To make matters worse, officials won't hand out written copies of the regulations, since making copies would cost money and most people who consider starting day-care centers don't actually proceed with the licensing process.

Consider the case of a Berkeley company. Its 85 employees had had 19 babies over the previous two years and as the company planned to move to a new building, the owners thought an on-site day-care center would be a nice benefit to include. Company managers figured they'd have to hire a teacher or two and provide a safe area, separate from the rest of the operation. The company could recoup most of its costs by charging, say, $250 a month—$100 below the going rate.

Things turned out to be a lot more complicated: The area had not only to be separate from but not to share *any* common ground with the rest of the building. That meant a separate entrance, separate bathrooms, and a separate kitchen. But the city's building permit limited the number of walls the company could add to the building it was refurbishing. There was no way to comply with both sets of rules. City regulators, complains the personnel manager, "claim to be liberals, but most of them are only liberals if it's what they want." To make matters worse, the licensing law also required 35 square feet per child inside and 75 square feet outside—an impossible requirement in the building's urban setting.

"It would be wonderful if we could get some of these restrictions removed so that employers could do these types of things," says the personnel manager. "Most companies can come up with the money somehow, especially if you charge the cost of it to the employees without trying to make a profit. That's not really the barrier. It's more the space regulation and getting the building permit. They don't make it very easy."

It won't get any easier if the ABC bill passes on Capitol Hill. Among its many provisions, the bill mandates even more day-care regulation. States would be forbidden to weaken any of their regulations without going through various procedural hoops, and all providers who receive government money would have to comply with federal regulations—specifics to be announced later. Undoubtedly, the federal regulations would soon become a minimum standard for the states. That threat, along with the feeling that bureaucrats will favor nonprofit operations with their dollars, is one reason that for-profit day-care chains such as Kinder-Care are lobbying actively against the bill; such companies now stay out of states where regulations are too onerous. The bill also requires that each state demonstrate within four years that "all child care providers required to be licensed and regulated in the State are so licensed."

When regulators caught Maria Chambers caring for 16 children, she went to jail for a week.

To fulfill that mandate, states would have to hire hundreds of new inspectors to track down every unlicensed family day-care home in America. "Many states simply don't have the resources to enforce what's already on the books," says Charles Pekow, editor of *Day Care USA* newsletter. "The same thing's true with nursing homes and a lot of other things. Fine, they're wonderful regulations—so what, if you can't enforce them?" And even if states by some miracle succeeded in locating all those illegal day-care homes, thousands of providers would certainly choose to go out of business rather than face regulation.

In the abstract, day-care licensing laws may seem like a trivial intrusion into the private sphere. But when states get

WASHINGTON POST / ANDRES ALONSO

Chambers's imprisonment left John and Sandra Sullivan scrambling to find care for their two sons. "They say they were doing it for our children's welfare," said Sandra. "Where were they on Friday?"

serious about enforcing them, they carry the same penalties as any other laws. For Maria Chambers, that included jail.

Chambers, a German immigrant, kept children in her Woodbridge, Virginia, home for prices that working-class parents could afford—$50 a week for full-time care, $25 for care before and after school. In 1986, the state revoked her license after inspectors found her sister watching 31 children rather than the legal 9; since it was Chambers's second offense, she received a five-day suspended jail term.

Then, last June, social service workers caught Chambers caring for 16 kids. This time, she went to jail for a week.

"You are going to be watched for a long period of time. Sooner or later, you are going to learn to live by the law," said Judge H. Selwyn Smith as he suspended the rest of her 30-day sentence. The judge himself admitted that Chambers "must have a way with children, because you had a pretty good clientele." He conceded that "there are a lot of people who can't afford Kinder-Care and franchise day-care centers." But, he said, the law is the law.

The parents whose children Chambers cared for were furious with the laws designed to protect them. "They say they were doing it for our children's welfare," commented Sandra Sullivan to the *Washington Post*. "Where were they on Friday?" asked the young mother, who had to scramble to find immediate care for her two school-age children.

State officials, said her husband, John, "know that good quality care at an affordable rate is hard to find." Parents, he contended, could best judge whether Chambers could competently oversee their children.

Closing down Chambers, many parents noted, left children worse off—home alone, or stuck with day-care providers parents had little time to check out. "The court and social workers would rather see latchkey kids," said Carol Jean Hall. Her oldest son, age 10, "cried all day, because he was left home alone."

Against such objections, advocates of federal regulation and subsidies say parents in fact don't know enough to make trade-offs between quality and affordability and shouldn't have to, anyway. Focusing on regulatory barriers, writes Barbara Willer of the National Association for the Education of Young Children (NAEYC), "assumes families have unlimited income to spend on child care. It assumes parents fully appreciate the long-term implications of a lack of quality and have the necessary resources to act on this recognition. It assumes parents have the ability to adequately monitor programs without outside assistance. It ignores the importance of licensing standards in safeguarding the protection of children in care settings outside their home." In arguing that the government can simultaneously assure both quality and affordability, however, Willer assumes unlimited government funds, perfect government oversight, and unanimous agreement on what constitutes "quality" child care.

The push for federal intervention in day care isn't based entirely on a failure to recognize and accept the fundamental economic fact that scarcity exists, that no amount of government intervention will provide a perfect supply of day care or anything else. Child care activists also have an ideological agenda they are perfectly willing to discuss within their own publications, if not in congressional testimony.

WASHINGTON POST / JOHN R. VAN BEEKUM

"We must realize that advocating on behalf of children and their families is more than just a fight for specific programs and services. Our advocacy efforts also represent arguments for assumptions about the kinds of relationships we believe should exist among families, various levels of government, and our future adult citizens," writes Stacie G. Goffin, an assistant professor of early childhood education at the University of Missouri-Kansas City, in NAEYC's magazine, *Young Children*.

Opposition to a more active government role, she says, stems from a misguided tradition of individualism and self-sufficiency. She lists four basic assumptions underlying such opposition:

- "Every person is in charge of his or her own destiny and is responsible for the outcome."
- "Families should be self-sufficient and able to care for their own needs independently."
- "Individuals seeking help are viewed as incompetent rather than in need of support."
- "Government support is an invasion into family life."

Leading activist Edward Zigler lauds China's and Cuba's child care systems. He wants a nationwide program using the public schools.

■◆■

By contrast, she says, a "second set of assumptions has guided child advocates who have worked to expand and strengthen the federal government's role in meeting the needs of children and families." The four underlying assumptions of Goffin and other activists are:

- "Children are the responsibility of society and their families."
- "The self-sufficient family is a myth."
- "There appears to be no single best family form."
- "Assuring the provision of services to children is a political issue."

In this light, all the intrusive regulations that make day care costly or unavailable make sense. Many grassroots activists will defend individual day-care providers against zoning laws or other restrictions, yet when it comes to federal policy, individual choice is the enemy. Small-scale, spontaneous approaches to providing care for children don't meet the ideological test.

"Some people are still arguing for the Swedish model—a day-care center on every corner; the government buys it and you go use it. That's unrealistic," Yale professor Edward F. Zigler told *Psychology Today*. Unrealistic, but not undesirable. Zigler, who served as head of the Office of Child Development in the Nixon administration, has been a leading child care activist for more than two decades. In *Day Care: Scientific and Social Policy Issues*, he depicts the enlightened approach to day care he'd like to see:

"Child care in this country is put to shame by the comprehensive systems in many other nations....The Israeli government provides kindergarten for all five-year-olds, and child care is provided for 50 percent of all 3–4 year olds. Sweden provides child development centers for 85 percent of its preschoolers, and Hungary provides nurseries for 50 percent of its 3–6 year olds, and crêches for others. In China, nurseries are available for virtually all children from the age of 56 days on. Cuba offers care for children as young as 45 days old as part of a national child care system; the goal for the next decade is to provide day care for all mothers who want it."

Since he recognizes that the United States isn't as progressive as Cuba, Zigler will settle for a nationwide program to have the public schools provide on-site child care for older kids and referrals to day-care homes for infants and toddlers. Mandatory pregnancy leave would provide for the youngest children.

By contrast to this grand vision, the woes of individual day-care providers like Linda Beasley, Josephine Romano, Gladys, and Maria Chambers may seem small and insignificant. But many parents *want* their children in the kind of intimate settings these women provide. That's why American parents choose overwhelmingly to rely on relatives and family day-care homes. Children get too little personal attention and unstructured play time as it is.

True, proregulation forces can point to isolated tragedies—such as Jessica McClure's falling down a well while in an unlicensed day-care home. But the only systematic study of family day care, conducted by Abt Associates in the late '70s, found satisfied parents and good environments. The authors said they were "consistently impressed by the care that they saw regardless of regulatory status of the home." These small-scale homes, including illegal ones, provided "stable, warm, and stimulating" care.

Contrary to Washington conventional wisdom, Americans are coping with their child care needs—through voluntary, decentralized approaches that offer a host of options for parents and children. The day-care lobby doesn't appreciate those options: the churches that provide a third of all legal child care slots, the unlicensed "Grandmas" who operate underground, the for-profit centers, the kids who come to the office after school, the aunts and grandmothers who take turns watching their relatives—all the ways creative people find to care for their children without benefit of government aid or regulation.

The answer to America's "day-care crisis" isn't to produce a pale imitation of Cuba. It is to rely on the enterprise, ingenuity, and genuine love for children that can create a wide range of choices for parents and kids—to get government out of the nursery and let a thousand flowers bloom. ■

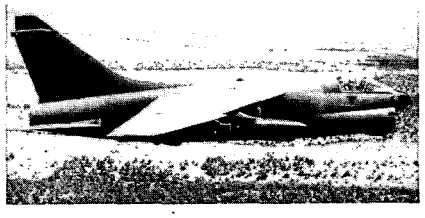
Virginia I. Postrel is associate editor of REASON.

Beware the Pork-Hawk

In Pursuit of Reelection, Congress Sells Out the Nation's Defense.

BY ROBERT HIGGS

We are accustomed to thinking that in regard to spending for national defense, some people are hawks, others doves. These birds disagree sharply in their answers to the question, How much defense spending is enough? In recent years a new bird, the cheap hawk, has been sighted with growing frequency. This one wants a strong defense: He may or may not want more spending for the military, but he definitely wants more bang for the buck. He worries about weapons that don't work as they are supposed to and about spending for purposes that deliver less military punch than other programs sacrificed in the budget process.

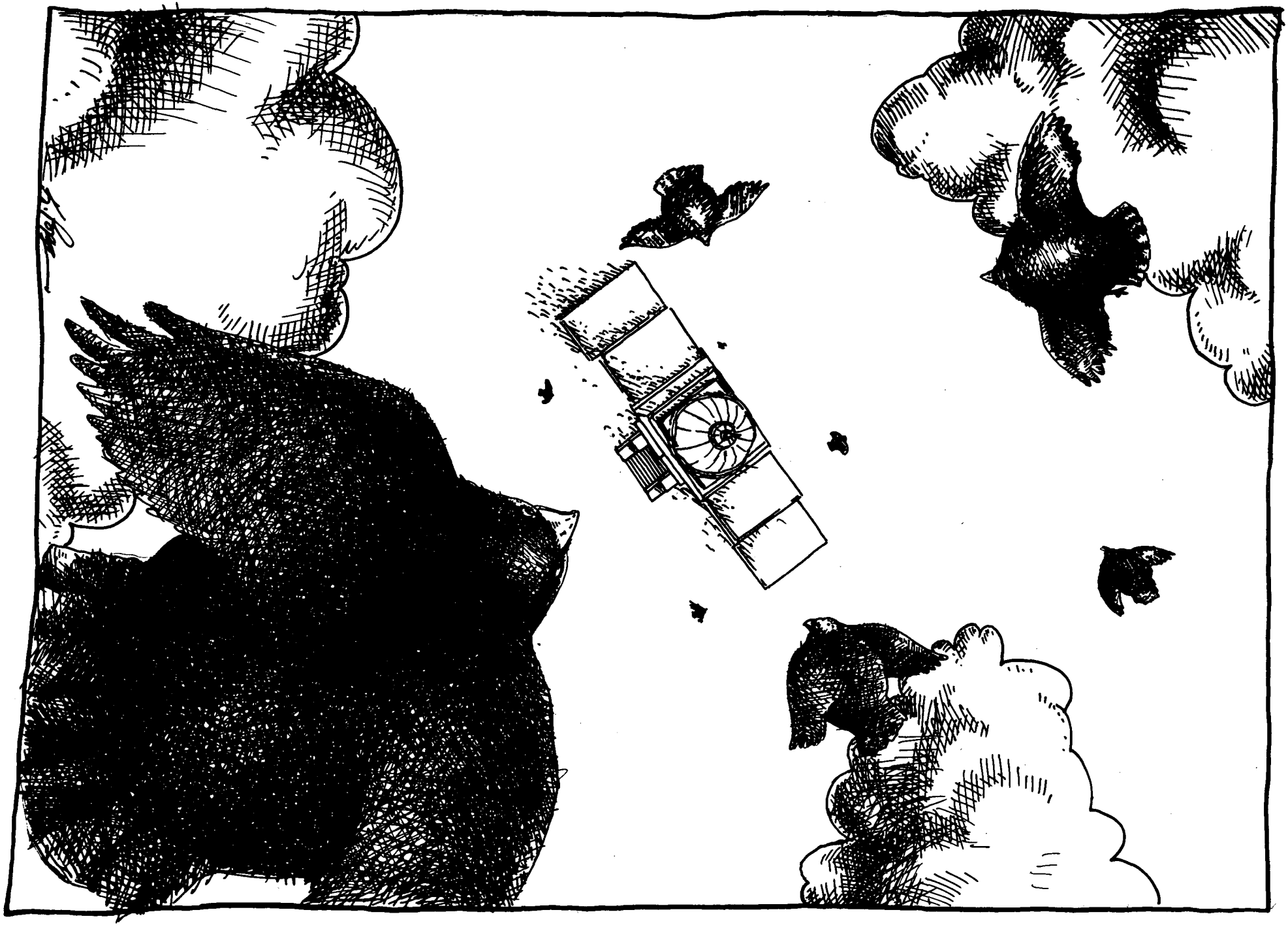


The unwanted A-7s cost hundreds of millions.

U.S. AIR FORCE PHOTO / GARFIELD F. JONES

The advent of the cheap hawk has pushed the defense debate beyond the old question of how much is enough and raised to the forefront the more important question of how we should spend whatever amount is available. Obviously, the nation's security is not promoted simply by spending money under the heading of defense.

KEVIN POPE



Unfortunately, a great deal of the budget is now soaked up by items that masquerade as defense but actually make little or no contribution to national security. Many of these spending programs are, in effect, welfare programs—not for ghetto dwellers, homeless people, or other unfortunates, but welfare nonetheless.

In contriving and delivering this pseudo-defense largess, another common defense bird enters the picture. Though informed birdwatchers all know about this one, it has yet to receive an accepted name. I propose to call it the pork-hawk.

In Congress, the pork-hawk may appear to be a hawk, a dove, or a cheap hawk. You can't tell by the plumage or the call. You have to check its nesting habits. You can generally identify it by its tendency to lie down very close to constituents and political action committees and by its constant twittering about reelection. If you observe its behavior in the defense field, you'll find it pecking away at the tiniest details. The pork-hawk thrives on micromanaging the defense program, stipulating not only how much will be spent for certain broad defense purposes but how much will be spent for each of the several thousand line-items in the annual defense budget and exactly how the Pentagon must manage that spending.

While some senators favor one weapon or another, one service or another, John Tower was said to simply "favor Texas."

The habits of the pork-hawk can be observed, for example, in the history of the A-7. This subsonic attack plane, produced by the Vought Corp. and first used in the late 1960s by both the Navy and the Air Force for close air support, was an effective weapon in its day. By the mid-1970s, however, Pentagon planners considered it obsolescent. The Navy wanted to start acquiring the F/A-18, the Air Force the F-16. In the late 1970s and early '80s, the Air National Guard was the only military service that wanted any more A-7s, and even the Guard wanted only the two-seat trainer.

Yet Congress continued to fund the program for years. Why? Because Dallas-based Vought, the Guard, and the powerful Texas delegation demanded it. Such a three-sided coalition is aptly described as an iron triangle.

The Texas delegation is one of the largest and most cohesive in Congress. At the time, it included the venerable George Mahon (D), who chaired the House Defense Appropriations Subcommittee for three decades before retiring in 1979, and Sen. John Tower (R), a senior member of the Armed Services Committee and its chairman in the early '80s. Whereas some senators are known to favor one weapon or another, one service or another, Tower was said to simply "favor Texas." Of course, the Texans always claimed that the A-7 still had substantial military value.

The purity of the coalition's motives was put to a test in the House in July 1981. Rep. Toby Moffett (D-Conn.) offered an amendment to the authorization bill that would switch funds from A-7s to more-modern F-16s for the Air National Guard. The beauty of the proposal was that the guard would get its planes, better ones at that; it would get more planes, because 13 F-16s, coming from a big production run, could be purchased for the same price as 12 A-7s from a small production run; and to top it off, the F-16 was also manufactured in Texas!

It was a deal no one could refuse—unless, of course, the issue was really the fortunes of Vought and its congressional allies. Sure enough, the Texas delegation opposed the amendment, concerned that keeping Vought going had more political value than giving a bit more business to General Dynamics, which produced the F-16 at a Texas plant. Vought's friends in Congress were joined by the Guard, which was intent on fulfilling its plans for acquiring the A-7K two-seat trainer. (Several sources, including Defense Secretary Harold Brown, alleged that the Guard wanted the A-7Ks because its commanders were too old to fly high-performance aircraft by themselves.) Moffett's amendment went down on a vote of 148 to 268.

Without doubt, the A-7s funded in fiscal years 1978-81 resulted from congressional micromanagement. (Arguably, many of the planes bought earlier also sprang from this source.) Altogether, the Pentagon got 56 aircraft it did not want—24 A-7Es for the Navy and 32 A-7Ks for the Air National Guard.

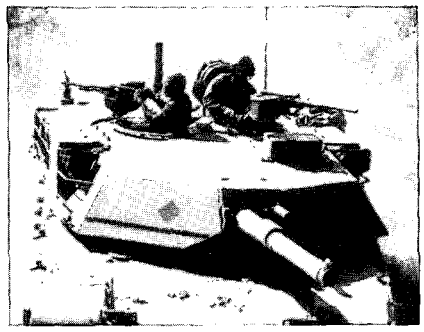
Many defense commentators tend to dismiss such congressional micromanagement as "small potatoes." They admit that many members of Congress, especially chairmen and senior members of key defense and appropriations committees, make their little grabs and carry the loot back to the home folks to buy votes. But the real action, the truly massive waste and mismanagement in the defense budget, these experts believe, lies elsewhere—in the millions that Litton Industries overcharged the Pentagon for military electronics products, for example, or in the several billion required to fix the poorly performing B-1.

Yet the A-7s procured by the pork-hawks cost the taxpayers hundreds of millions. Although it is difficult to identify the costs specifically attributable to adding 56 unwanted planes to the inventory, it appears from scattered information presented by the services to congressional committees that the total cost was approximately $575 million, equivalent to about $700 million in today's dollars. Because these aircraft crowded out

UPI\BETTMANN

more-effective weapons, their net contribution to the nation's security may well have been *negative*. One can hardly say that such waste is small potatoes.

Congressional micromanagement of the defense program, on the increase since the early 1970s, burgeoned in the 1980s. Within Congress, its sources include growing committee rivalries, fragmented power, and proliferating staff. The momentous shifts of the political landscape associated with the Vietnam War and the Watergate scandal added impetus to the growth of micromanagement. These forces diminished the prestige of the military establishment and the Executive Office of the President and gave rise to a more assertive and resourceful legislative branch. In the new environment, the pork-hawk has soared.



U.S. ARMY PHOTO / MICHAEL GREEN

Congress directs the Pentagon to buy more M-1 tanks but not more of the support vehicles needed to operate them.

Congressional micromanagement reveals itself in various forms. One is to require the Pentagon to take specific actions. One year, for example, Congress ordered the Department of Defense to double its purchases from minority suppliers during the next year. Congress has laid down the law about how many European-made subsystems to include in the U.S. version of the Roland missile: not less than 350. At various times Congress has prohibited the Pentagon from developing a second source for M-1 tank engines, ordered the Air Force to maintain air transport it didn't want at McChord AFB, and banned the Army's proposed relocation of helicopter maintenance from Pennsylvania to Texas. In several different years, it has directed DOD to purchase 300,000 tons of expensive anthracite coal—produced in Pennsylvania—for shipment to bases in Europe.

The variety of such actions makes them impossible to summarize. But they have vastly increased. In 1970, Congress required 82 specific actions; in 1976, 304. And in 1987, Congress issued 807 dictates to the Pentagon.

An even more important development than specific mandates is Congress's mounting compulsion to adjust the line-items of the defense budget—such as appropriating funds for 56 A-7s that the Pentagon didn't want. Again, 1970 provides a base for comparison. In that year, Congress made 830 adds or cuts to line-items in authorization and appropriations acts. By 1976, the number had climbed to 1,254, and in 1987 Congress micromanaged 3,422 line-items.

This form of congressional involvement in the details of the defense budget doesn't just add to spending. It can also undermine effective management at DOD, the armed forces, and the contractors. Interconnected parts of the budget are thrown out of proper relation to one another. Congress directs the Pentagon to buy additional M-1 tanks, but not more of the support vehicles that are needed to operate them; or additional aircraft carriers, but not more of the naval aircraft that use them. It slashes the ammunition budget in order to buy more guns. It stretches out planned purchases of F-14s, and Grumman's production lines are no longer being used at an optimal rate. Such juggling of the budget makes effective planning nearly impossible.

Although most of the micromanagement takes place in the armed services committees and the defense appropriations subcommittees, activity on the floor of the House and the Senate also has escalated. Before 1969, the House usually considered only a handful of amendments to the authorization bill, the Senate none at all. By 1985, each house was considering more than 100 amendments and spending more than a week debating the bill. Many of the amendments are position-taking actions on broad policy matters such as nuclear weapons or arms control, but a look at the legislative history of the authorization bill for any recent year reveals that many of the amendments are pure micromanagement.

Barry Goldwater blasted pork-hawks for promoting instability, inefficiency, delay, and confusion.

The pork-hawk flies over the entire defense field, including R&D and the procurement of major weapons systems. But even if we look only at pork-barreling in the "soft underbelly"—the construction, operations, and maintenance accounts—huge amounts of spending are at stake and up for congressional grabs.

Former Sen. Barry Goldwater (R-Ariz.), one of the few recent members of Congress to speak frankly, was not afraid to take aim at the pork-hawk. He was uncommonly well informed about the military, and shortly after his retirement from the Senate in 1987 he wrote an article for *Armed Forces Journal International* blasting Congress for promoting instability, inefficiency, delay, and confusion. He pointed to "the increasing num-

ber of legislators who want to play 'pork barrel' politics with the defense budget" and warned that "their patronage appetites continue to grow."

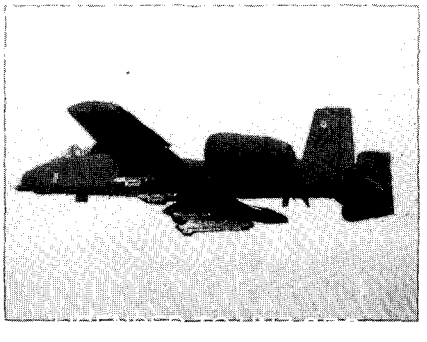
Even Senator Goldwater, however, has an ambiguous record. His role in another pork-hawk case illustrates the ambiguity.

Alfonse D'Amato and others in the New York coalition tried to turn the A-10 into a pure make-work program.

The story of the A-10, another subsonic attack plane, resembles the story of the A-7 in important respects. After buying some 700 A-10s in the late 1970s and early '80s, the Air Force decided that acquiring more of them was less important than purchasing other weapons, especially F-16s adaptable to the same close air support mission but capable of effective battlefield air interdiction as well. Of course, people with a stake in continued production of the A-10 fought to keep it going. The large New York delegation and its powerful committee heads—Joseph Addabbo (D), chairman of the House Defense Appropriations Subcommittee from 1979 to 1986, and Samuel Stratton (D), chairman of the House Armed Services Committee's subcommittee on procurement—intervened to stretch out the procurement program. It was, observed journalist Hedrick Smith, "a case study in protecting pork for the home folks."

Addabbo, who represented a Queens district, was certainly no hawk, but he was manifestly a pork-hawk. Although he opposed many programs pushed by the Pentagon, he invariably promoted military installations and contractors, especially Grumman and Fairchild, located in or near his district. A *New York Times* reporter described him as "a champion of Long Island military projects," and fellow congressman George J. Hochbrueckner (D) praised Addabbo as "the big savior of Long Island." When Hedrick Smith questioned Addabbo about the apparent inconsistency of his dovishness and his support for military pork-barrel projects, he shrugged and responded: "Why not build them in your own area, the same as everyone else does."

By stretching out production, pork-hawks raised the cost of the A-10 by at least $12 million a plane.



For a while, Goldwater, a senior member of the Armed Services Committee, gave the A-10 strong support. But in 1982 he abruptly turned against further acquisitions. Addressing Air Force witnesses at a hearing, he made an extraordinary statement. "I know what you are up against," he told the generals. "You have the parochial problem of Massachusetts, New York, Pennsylvania, and Maryland, all wanting to keep that A-10 going just like they bought A-7's to keep Texas happy." But Goldwater thought the time had come to just say no. "I know most of you think you don't need them, but you come over here to tell us you do need them just to keep some people [in Congress] happy."

Ultimately, Goldwater did use his influence to shut down the A-10 line, which received no procurement funding after 1982 despite the determined efforts of the New Yorkers and their allies. But the A-10 program staggered to its demise in a way that reflects credit on no one.

Through 1980, the program was defensible. It allocated resources to an important and neglected military mission. It was, in defense analyst Richard Stubbing's words, "a rare managerial success—coming in close to cost and performing as well as promised."

The trouble arose when the plane approached the end of its planned production run. Members of Congress and contractors tried to prolong its life, and the stretch-out began. Unit costs soared. In 1980 the Air Force procured 144 planes for about $6.3 million each. The next year, when procurement fell to 60 planes, the cost jumped to $8.7 million per plane. By 1982 the Pentagon was down to 20 planes, each one costing $10.5 million. Only a modest fraction of the cost escalation reflected inflation. And had the friends of the A-10 succeeded in spending the $357 million appropriated but, thanks largely to Goldwater's opposition, not authorized in fiscal 1983, the unit cost would have been almost *$18 million*—for an airplane a committee of military men believed could be replaced with a better attack plane that could be produced for *less than $3 million.*

Although the administration's budgetary shifts and the gamesmanship of the Air Force contributed to the debacle, certain members of Congress deserve much of the blame. Addabbo, Sen. Alfonse D'Amato (R), and others in the New York coalition hardly bothered to conceal their attempt to turn the A-10 into a pure make-work program. But Goldwater's actions also raise questions. In 1982 he was remarkably frank about

the parochialism involved in prolonging acquisitions, but his own behavior had been erratic, swinging from emphatic support in 1981 to ridicule in 1983—a switch that lacked a compelling military rationale and seemed capricious.

Robert Dole led the opposition to the T-46—acting as senator from Cessna, which had a competing aircraft.

Whatever else one might say about the A-7 and the A-10 programs, the planes did have some military utility. The same could not be said about the T-46 trainer aircraft program. This consumed several hundred million dollars, then sank in an ignominious denouement that featured contractor incompetence and congressional parochialism. After the T-46's supporters had taken extraordinary measures to salvage the program, which was manifestly not worth saving, a congressional compromise terminated it. The T-46 line had brought forth only two prototypes and a single production-model aircraft.

But did the termination signify that lawmakers had spared taxpayers some wasteful military spending? Not exactly. The fix was itself a monument to congressional parochialism. The cure was only a little better than the disease.

The Air Force awarded a T-46 development contract to Fairchild in 1982, but the program never really got going. In 1985 Air Force examiners found that approximately 40 percent of the hardware was defective, and company inspectors were passing 24 percent of the defective items. Fairchild's costs were running 80 percent above budget, and the project was behind schedule. The examiners rated the company unsatisfactory in all eight areas of management and contract compliance they checked.

The Air Force expressed its displeasure by halving its progress payments to Fairchild and asking Cessna how much the company would charge to upgrade the existing trainer fleet of T-37s. Under increasing pressure to restrain spending, the Air Force recommended that the T-46 be dropped from the service's five-year budget plan or, alternatively, that the program be switched to another contractor. Congressional friends of the T-46 swung into action.

Its chief proponents were, not surprisingly, the New Yorkers, especially Rep. Thomas Downey (D), whose district included Fairchild's plant on Long Island, where various military projects were winding down, threatening to wipe out "the vast majority of the 3600 jobs" (and a corresponding number of votes?). Production of the T-46 would provide continued employment.

Downey exemplified the dove as pork-hawk. Like his colleague Addabbo, he often opposed the Pentagon's favored projects, but he never failed to support military programs promising jobs and income for his constituents. A paradigmatic "case work congressman," Downey was willing to ignore the national interest and to forget his ideology when it clashed with the demands of politically active constituents. Though the T-46 eventually went down, it went down with Downey fighting all the way.

On October 16, 1986, congressional conflict over the T-46 program came to a remarkable climax in the Senate. The coalition there included the two New York senators, the two Maryland senators (Fairchild has a facility at Hagerstown), and Sen. Dennis DeConcini (D) from Arizona, where the Garrett Corp. was to build T-46 engines. Besides these five, each of whom had a transparent parochial interest in preserving the troubled trainer, only a handful of senators supported keeping the program alive. But a few can often prevail, especially in the Senate, where the rules allow even a single member to perform miracles of obstruction that induce others to fall into line. Leading the opposition to the T-46 were Goldwater and Sen. Robert Dole, acting on this occasion as the senator from Cessna.

Goldwater fired the first shot, offering an amendment to prohibit spending money for the T-46 either from funds previously appropriated but withheld by the Air Force or from funds under debate for 1987. Opponents let loose a procedural hailstorm. The amendment also faced the impatience of senators who had no particular interest in it but just wanted to pass the spending resolution. The latest of four stopgap funding resolutions that had carried the government into the 1987 fiscal year would expire at midnight, and unless new appropriations were made, the government would have to shut down all nonessential activities and send employees home.

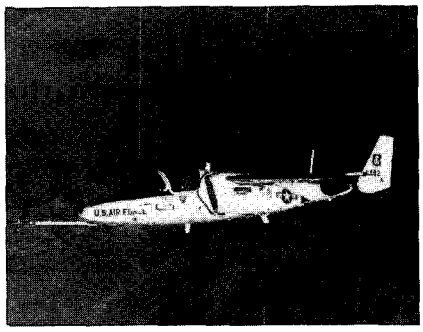
In a last-ditch effort to save the T-46, Senators D'Amato, Patrick Moynihan (D-N.Y.), and DeConcini waged a filibuster lasting almost 24 hours, and the government did shut down. The workers were sent home on October 17. It has been estimated that such shutdowns cost the government—that is, the taxpayers—some $60 million a day.

Finally, the staffs in the cloakroom arrived at a compromise. It provided that no 1987 money be spent on the T-46 and that the previously appropriated funds could be drawn on to pay for a "fly-off" in which the T-46, the T-37, and any other suitable trainers would compete for the Air Force's contract. This gave the T-46 a faint hope of survival.

The Air Force subsequently appealed to Congress to release it from the fly-off requirement. Having a competition made no sense when the service no longer planned to procure a new generation of trainers in the next five years. In March 1987, the Air Force and Fairchild announced that they had reached an

agreement whereby the service would cap its payments to the company at $159 million, about what had been paid already, and Fairchild would terminate its T-46 line. To cut its losses, Fairchild would close the Long Island plant. "A very black day for Long Island," lamented Downey, "a human tragedy of the first order."

In the spring of 1987 the Senate did release the Air Force from the obligation to conduct the fly-off, and this action survived in the final defense bill for 1988-89. But the pork-hawks had extracted a price for their agreement: a total of $300 million previously appropriated but not spent for the T-46 was reallocated to Navy aircraft programs—the EA-6B, the A-6, and the E-2C—all the business of the Grumman Corp. on Long Island. As a House source told *Armed Forces Journal International*, "The New York delegation is not concerned about the competition. What they were concerned about is what happened to the [T-46] money."



The T-46 cost hundreds of millions — for only three planes.

What should one make of the T-46 story? The program was stopped, a lot of money was saved, the Air Force was rescued from acquiring an airplane it did not want. But several hundred million dollars went down the drain, including the costs of the government shutdown when the T-46 coalition's filibuster held up passage of a funding act for the entire federal government. And at the end, $300 million was reallocated from Air Force to Navy aircraft in a fashion that, from a military standpoint, can only be called arbitrary and capricious.

Of course, the reallocation made perfect political sense. But that is precisely the point. The whole story illustrates how different and conflicting are the dictates of congressional politics and the dictates of a sensible, economical national defense program.

Wise men say that complaining about Congress is as futile as complaining about the weather. For as long as anyone can remember, members of Congress have been plundering the public to finance the largess they trade for reelection. By now they have nearly perfected their system, as virtually all incumbents who seek reelection are reelected, especially in the House. We are talking about a ruling class that approximates a self-perpetuating group about as closely as one can imagine in a democracy. So perhaps nothing can be done about the mismanagement and waste that attend congressional micromanagement of the defense program.

Some commentators have gone so far as to argue that we should be happy with the system as it is. After all, the guns do shoot some of the time. We do enjoy some national security. And given the institutional realities, it is impossible to imagine a reform that would improve on the existing system, because the reformers would face the same incentives and constraints that got us where we are now. Reforms could only make the situation worse.

Maybe the pessimists are right. Their arguments are certainly weighty. But my hunch is that there remains a chance to alleviate the ills associated with congressional micromanagement of defense.

A necessary condition for pork-barrel defense procurement is acceptance—by members of Congress and by the informed public—of what amounts to treachery. Members of Congress, with only a few exceptions, routinely betray our trust. In pursuit of their very private interest in reelection, they sell out the national defense of the United States. They know they are doing it; their colleagues know they are doing it; and the public, if it pays any attention at all, knows they are doing it. Yet everyone accepts it.

When opinion leaders, and hence the public, start to view these acts of treachery as acts of treachery rather than politics as usual, the incentives will change for members of Congress. They are sensitive to public opinion; they will not continue to act as they do when people view their actions as intolerably reprehensible.

What I am contemplating would amount to ideological change on a fairly wide scale, so it is hardly likely. But ideological changes have occurred in the past, and they may occur again. Until they do, however, Congress will go on micromanaging the defense program for parochial purposes, and the waste will continue. Doves and hawks will coo and shriek, while the pork-hawks bring home the bacon at taxpayer expense. ■

Dennis DeConcini backed the troubled T-46 to help an Arizona company.

Robert Higgs, William E. Simon Professor of Political Economy at Lafayette College, is the author of Crisis and Leviathan.

U.S. AIR FORCE PHOTO / HINSON

Stamp collecting is a much maligned hobby these days. I'm sure you've recently heard someone ask: "Why do grown men and women waste their

Who the Hell Is Alden Partridge?

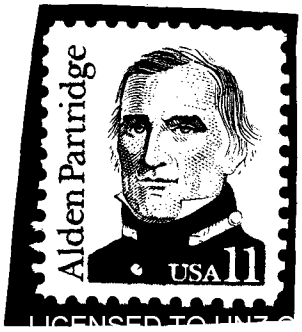
spare time playing with little pieces of paper when they can be out golfing, gossiping, shopping, or committing adultery?" It's a serious question, and

And What Is He Doing on My Stamp?

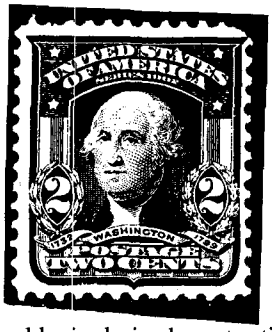
a serious answer starts with the recognition that philatelists' motives differ.

Some collectors collect for fun, driven by an innocent interest in the technical processes of printing or in the miniature aesthetics of stamps. Others collect for profit, which, when you risk your life savings doing it, is called "investment."

BY HOMER T. KNUDBOCKER



But then there is the pathological aspect of stamp collecting, which probably is responsible for giving philately a bad name. Let's face it. Some people can't resist the urge to collect things, and obsessions are ugly. These poor souls are the sort who, if they are missing a single stamp from the nine-piece Trans-Mississippi Exposition Issue of 1898, wax catatonic and start clacking their teeth like a dog on speed. Help is on the way for such people, however. Some stamp widows, as they are called, are forming Philatelics Anonymous to reclaim their possessed spouses.



A few people collect for educational and scholarly purposes. In philatelic magazines, among maddeningly irrelevant articles on "Varieties of Cancellations of the Belgian Train Stamps of 1902-04" and other glass-bead-game esoterica, one occasionally finds an essay that shows how stamps reflect history. The French, for example, early in their administration of the Mandate for Syria, foreshadowed their divide-and-rule stratagem when they produced separate stamps for Syria proper, Lebanon, Latakia, Cilicia, Alexandretta, and even for Rouad, a small island off the Syrian coast. The charity stamps (so called because they sold for more than their postal value, and the difference was a contribution to some charity) of Nazi Germany, as another example, mirror the mindset of the Third Reich's propagandists. There is enough "Eine Volk, Eine Reich, Eine Fürhrer" stuff to gag on.

Other examples represent wishful thinking more than history. The stamps of revolutionary Iran depict Islamic forces capturing Jerusalem, but others symbolize Shi'a Islam's capturing Mecca. Little wonder the Saudi government gets squeamish about admitting large numbers of Iranian pilgrims.

For all this, the analytical gaze of the American stamp collector rarely focuses on the United States. But by comparing the folks who have appeared on U.S. definitive stamps since 1847, we get an impressionistic history of "the hero" in American society (for those not in the know, "definitive" stamps are issued for everyday use in a range of values, while "commemorative" stamps are printed in small quantities—usually only in the amount needed for a first-class envelope—and then go out of production). Such a history not only reveals changed attitudes toward basic public values but serves as well as a political barometer for our own times. Back in the olden days—before the Vietnam War—U.S. definitive postage stamps featured a veritable Who's Who of national heroes. It was a select, universally recognized, and generally great bunch of guys. Today, U.S. definitive stamps are better described as a Who's That of national obscurity.

American Heroes: In the Beginning

When the federal government first made stamps in 1847, there were only two: a 5-cent stamp bearing a likeness of Benjamin Franklin and a 10-cent stamp of George Washington. In those days, 5 cents sent a letter a long way. Ten cents sent it even farther.

The set was expanded to eight stamps between 1851 and 1861: Benjamin Franklin was demoted to a 1-cent stamp and also promoted to the 30-cent. George Washington kept his 10-cent stamp and also appeared on the 3-cent, 12-cent, 24-cent, and 90-cent stamps. Thomas Jefferson replaced Ben on the 5-center. This left no doubt about whose legacies ruled the national roost.

The series grew even larger during and after the Civil War. Andrew Jackson appeared on the first 2-cent stamp, and Abraham Lincoln on a 15-cent. Of course, both of these guys had to die first—a requirement since the beginning for getting on a U.S. stamp (Donald Trump, eat your heart out!). Both Jackson and Lincoln, as well as Jefferson, were dropped in the 1869 set.

The set introduced in the 1870s resurrected all stamp alumni, and added a few new faces. Of the several men honored in this set for the first time, some are pretty obscure and one is flat-out embarrassing: Edwin Stanton (7-cent), Henry Clay (12-cent), Daniel Webster (15-cent), General Winfield Scott (24-cent), Alexander Hamilton (30-cent), and Admiral Oliver Hazard Perry (90-cent).

Scott was a hero of the War of 1812 and Perry won the Battle of Lake Erie in 1813. But Edwin Stanton has slipped clean out of the pantheon of American heroes like a melting popsicle out of a toddler's hand. A lawyer and secretary of war under Lincoln and then Johnson, he was responsible for much of the occupation and "reconstruction" legislation affecting the South. He and Johnson soon became mortal enemies, however, and Johnson fired him. Not only did Stanton refuse to leave, he encouraged high-ranking army officers to be insubordinate to the commander in chief. At the time, Johnson faced impeachment and Stanton became a hero.

Stanton died in 1869, just in time to make the 7-center. He has never reappeared on a stamp, however, which just goes to show you what puerile lying and fomenting a constitutional crisis will get you (so don't expect to see Richard Nixon on a stamp).

Otherwise, we have in this series politicians, great orators, men of letters (Clay and Webster), one of the Founding Fathers and the first treasury secretary (Hamilton), and a military man (Perry). Politics, money, and force—that's what got you on a stamp in those days, and, frankly, that's what got the United States manifestly across North America to its destiny as a great power. Amen to that.

On the stamps of the 1890s, Franklin, Washington, Jackson, and Lincoln remain, as do Webster, Clay, and Perry. But Hamilton drops out (as do Stanton and Scott), and Jefferson returns on the 30-cent stamp. New to the list are Gens. Ulysses Grant (5-cent) and William Tecumseh Sherman (8-cent). Also new is

the recently assassinated President James Garfield (6-cent). (Anybody who gets killed while president is sure to end up on a stamp.)

The addition of Grant and Sherman demonstrates the patriotic fervor raised by the Civil War and affirms its centrality in American history of that time. The fact that Grant was an alcoholic, an anti-Semite, a womanizer, and a mass murderer of Native Americans was, frankly, not a big deal. The fact that Sherman burned down half of Georgia for no particularly good reason was also conveniently forgotten. But one wonders how many 8-cent Shermans were sold at post offices in Atlanta.

Why Jefferson returns at the expense of Hamilton, one can only speculate. There was a deep recession in 1870-71, and lots of people, especially in the West, blamed it on the monetary policies of the federal government. Later, as these stamps were being made, the Free Silver movement arose. This movement was made up of people who believed that it was better to find money in the ground—since *they* were finding it out west and pin-striped easterners were not—than to have it printed in Washington. Very logical. So either Hamilton suffered from the public's dislike of federal money managers, or perhaps the descendants of Hamilton's arch rival (and killer), Aaron Burr, had seized control of the post office.

In 1894, two high-value stamps were added to the series: James Madison—the fourth president of the United States and the drafter of the U.S. Constitution—on the $2.00 stamp, and John Marshall—the first chief justice of the Supreme Court—on the $5.00. Both men clearly were suitable subjects for stamps. Besides, in 1890, with the frontier closing, it was safe to honor men who stood for law, since we were about finished swiping the western part of the country from the Spanish, the Mexicans, and the Indians.

Sherman Swapped for Martha

Next comes the exquisite series of 1902-03. Out went General Sherman, who was replaced by Martha Washington; shades of the women's movement that, by 1919, had secured the vote. Out, too, went Admiral Perry, and in came Admiral David Glasgow Farragut of Civil War fame. Both men had double *r*s in their last names, so the switch was barely noticed.

The next definitive series, which lasted from 1908 to 1922, was a throwback to 1847. Only Washington and Franklin appear; the same two portraits are used on all the stamps, which differ only in denomination and color. But this was an era of regimentation, when President Wilson nationalized the railroads and everything else he could get his idealistic hands on, and when the acolytes of John Dewey were busy "rationalizing" American government and life. Isn't it just like a neophyte technocrat to want to "structure" things? It was truly an act of divine mercy that Randolph Bourne didn't live to see it.

The 1922 set was, like earlier sets, a mixture of faces and symbols. The ½-cent featured Nathan Hale, whose main accomplishment was to get hanged by the British for spying. His appearance was ironic—a few years later, in 1929, President Hoover and Secretary of State Henry Stimson abolished the United States' "Black Chamber" spy agency because, in Stimson's words, "gentlemen did not read other people's mail."

Franklin and Washington were on the 1- and 2-cent stamps, respectively. On the 1½-cent, we have the late Warren G. Harding. The Harding stamp, in black, was introduced as a presidential memorial issue in 1923, but ladies liked it so much that it became a regular issue, in brown, in 1925.

Lincoln was on the 3-cent, Martha W. on the 4, and for the first time the late Theodore Roosevelt graced the 5-cent stamp. Garfield remained on the 6, McKinley appeared on the 7. Now, Garfield and McKinley had both been assassinated, and Teddy Roosevelt almost was, having taken a slug during the Bull Moose campaign of 1912. One licked these stamps carefully.

Rutherford B. Hayes appeared on the 11-cent. No one knows why, except that he had recently died. Grover Cleveland made it to the 12-cent stamp, presumably for the same reason. A generic American Indian was on the 14-cent; most of them were dead, too. And, it turned out, so was an era in stamp history.

Technocrats Run Amok

Things changed in 1936. The designs of the popular presidential series were far more rigidly structured than the designs of earlier, 19th-century definitive sets. To get all deceased presidents into the set, and to have the denomination of each stamp match the order in which they served (at least from 1 to 22), the post office produced stamps for which there was no rationale at all in the postal rate structure. Here was a great example of the technocratic mind run completely amok, as form displaced substance. But what made better sense than a set of stamps dedicated to presidents during an era in which President Franklin Delano Roosevelt usurped more power to the executive branch than any man in history?

In 1954 we got the definitive set of the baby-boom generation. It was also a mixture of people and patriotic symbols. On the ½-cent stamp, Franklin retained his place in fiery orange, doubtless because he was the founder of the first volunteer fire department. Washington remained on the 1-cent stamp, and on the 1½ was Mount Vernon, the Washington homestead, symbolizing The Suburbs. On the 2-cent, in American revolutionary red, was Jefferson. On the 2½ was the Bunker Hill

memorial and flag in somber gray. The 3-cent was a deep blue Statue of Liberty.

On the 4-cent was the royal purple Lincoln. In 1958, when the rate for a first-class letter rose to 4 cents, Lincoln inherited pride of place. This was perfect, for the civil rights struggle was about to begin in earnest.

There was a 4½-cent stamp of the Hermitage, Andrew Jackson's famous home. The 5-cent, 6-cent, and 7-cent, respectively, showed Presidents James Monroe, Theodore Roosevelt, and Woodrow Wilson. This was due to the Cold War, namely, to show our cocky Latin American neighbors who was boss. After all, Jackson attacked the Spanish at Pensacola, Monroe issued the Monroe Doctrine, Roosevelt charged up San Juan Hill and bragged about having "took" Panama, and Wilson shelled Vera Cruz and occupied Haiti. With these fellows all in a row, no Latin lunatic was going to mess with us. And if that wasn't enough, the 9-cent stamp made clear that we had not forgotten the Alamo.

While this series was in use, the United States displaced Arbenz in Guatemala (1954), dumped Batista in Cuba (1958), planned and botched the Bay of Pigs operation (1961), assassinated Trujillo in the Dominican Republic (1961), and hatched numerous plots against François Duvalier in Haiti. If this isn't proof of a causal relationship between politics and stamps, I don't know what is.

But this series carried mixed political messages, a harbinger of divisions in American society to come. The 10-cent stamp showed Independence Hall, the 11-cent the Statue of Liberty again, the 12-cent Benjamin Harrison, the 15-cent John Jay, and the 20-cent a scene of Monticello. Benjamin Harrison was pictured because of his beard; a sop to the beatnik movement. John Jay was an author of the Federalist Papers and a diplomat, but he also negotiated the treaty that established the U.S.-Canadian border, the longest unfortified frontier in modern history. This was clearly a sop to the developing arms control lobby; sure enough, the Arms Control and Disarmament Agency was soon formed.

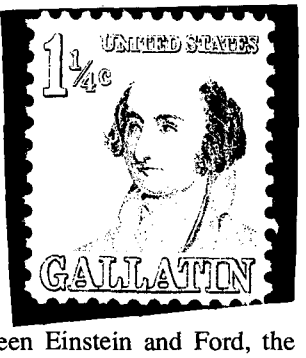
On the 25-cent stamp was Paul Revere, a silversmith, patriot, and world-class loudmouth. As he sped through the streets of Boston warning of the British assault, he was also a notorious runner of red lights—one if by land, two if by sea—but never got ticketed.

On the 40-cent stamp, Justice Marshall returns, a clear sign of the increasingly imperial judiciary that changed the face of America in the 1960s. On the 50-cent stamp is a glaring picture of an aged Susan B. Anthony that foretells the coming of Betty Friedan and Geraldine Ferraro. The $1.00 stamp featured Patrick Henry, whose "Give me liberty or give me death" stuff sounded a lot like John Kennedy's "We will go anywhere, do anything, pay any price." And on the $5.00, Alexander Hamilton returned to remind our uppity European and Japanese allies that the dollar is made here, in the good ol' U.S. of A., and that if we want to print skazads of them to pay our trade bills, then we'll damn well do it.

The Ugly '60s

But next came a series begun in 1965 when we Americanized the war in Vietnam. Its main claim to fame was that, unlike the other definitive series, there was no general common design. Every stamp was different. This foretold the end of the bipartisan consensus on foreign policy and, in time, on just about everything else. It was a rather ugly series on balance. So were the 1960s, on balance.

Jefferson was on the 1-cent. Albert Gallatin was on the 1¼. No one had ever heard of him, but then, who needed a 1¼-cent stamp? Frank Lloyd Wright was on the 2-cent, and the historian Francis Parkman was on the 3-cent. FDR appeared on the 6. When the rate for first-class mail became 6 cents, in 1968, still under a Democratic administration, FDR was there to bask in the glory. Once a usurper, always a usurper. But this was not enough to throw the 1968 election to the Democrats.



Albert Einstein was on the 8-cent, Andrew Jackson was on the 10, and Henry Ford was on the 12. The only reason for Jackson, it seems, was to put a space between Einstein and Ford, the former a Jew and the latter a notorious anti-Semite who spread tracts of the Protocols of the Elders of Zion.

John Kennedy appeared on the unlucky 13-cent stamp, which was only right, since he helped get us stuck in the Big Muddy in Vietnam. Oliver Wendell Holmes was on the 15, and that made sense, too. Holmes was a contemporary of Dewey and a believer in logical positivism and the technocratic rationalism of Dewey's philosophy. What Wilson's guys did in World War I was nothing compared to what the computerized "whiz kids" led by Robert Strange McNamara were doing to the Great Society, the United States Army, and the people of Southeast Asia. George Marshall was put on the 20-cent stamp out of a nostalgic longing for a high-ranking military man with some brains, because there certainly weren't any like him around at the time.

Next came Frederick Douglass on the 25-cent stamp, the first black ever to appear on a U.S. definitive stamp. Issued in 1967, this told black people that it was better to be like Frederick Douglass than like Stokely Carmichael or Malcolm X.

Next, on the 30-cent, was John Dewey himself. Dum, d'dum dum, dum!

Thomas Paine graced the 40-cent stamp, and Lucy Stone the

50. Both of these people, in their time, were raging leftists. This belied radical antiwar movement influence in the country. Eugene O'Neill appeared on the $1.00. This symbolized guerrilla theater and the politicization of the arts.

Paul Dudley Who?

Last of all, we come to the current definitive series started in 1980. These are almost as ugly, almost as individualized in design as the previous series, but not as ugly or as anomic. This points to the country's halting recovery of pride and self-esteem during the Reagan presidency.

There have been two 1-cent stamps in this series. First came Dorothy Dix, whose real name was Elizabeth Meriwether Gilmer. Gilmer was a path-breaking Dear Abby-type journalist who took a pseudonym because respectable women in those days—she lived from 1870 to 1951—did not work as journalists. Obviously, not much has changed. Right, Dear Abby?

Next we have Margaret Mitchell, author of *Gone With the Wind*. With a mediocre actor as a successful president, what could have been more natural than to feature a mediocre author whose work was used to make perhaps the greatest film of all time?

There have been two 2-cent stamps: first Igor Stravinsky, then Mary Lyon. Stravinsky was a great composer; Lyon a Quaker female activist of the last century and a nice gal, according to her husband, but always too busy to cook his dinner.

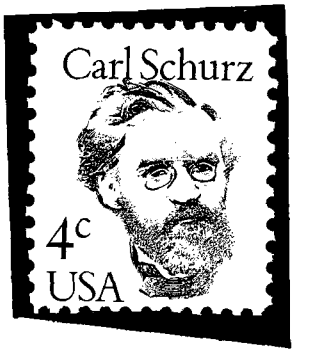
There have been two 3-cent stamps. On the first, Henry Clay returns after a long absence. But no one remembered him, so he was replaced with Dr. Paul Dudley White. Dr. White must have been a heck of a guy to get on a stamp.

There have been two 4-cent stamps, one of Carl Schurz and one of Father Flanagan. Schurz was an amazing fellow, a refugee from Germany after the wrong side won the tumultuous wars of 1848-49, a politician, orator, union general, ambassador, senator from Missouri, and secretary of the Interior. He was a liberal Republican (a species now extinct). He mistrusted the Democrats but was disgusted with Ulysses Grant, which led him to support Horace Greeley for president. This was silly; no one with whiskers like Greeley's could ever be president. Later, Schurz laid the groundwork for a professional civil service based on merit and opposed jingoism, imperialism, war with Spain, and the annexation of the Philippines. He wrote editorials for *Harper's Weekly*, and then he died.

Father Flanagan founded Boys Town. I like Schurz better than Flanagan because Schurz never sent me sob-story letters asking for money.

There have been two 5-cent stamps, one of Pearl Buck, the prolific writer, teacher, sinologist, Pulitzer and Nobel Prize winner, and one of Hugo Black, the late Supreme Court justice. Walter Lippmann appears on the 6-cent, Abraham Baldwin on the 7, Henry Knox on the 8, and Sylvanus Thayer on the 9. There have been two 10-cent stamps: Richard Russell and Red Cloud. The 11-cent stamp features Alden Partridge. Thrilling, isn't it?

There's a 13-cent stamp with Crazy Horse, a 14 of both Sinclair Lewis and Julia Ward Howe, a 15 of Buffalo Bill Cody. There have been two 17-cent stamps: Rachel Carson and Belva Ann Lockwood. George Mason gets the 18, Sequoyah the 19. We've had Ralph Bunche, Thomas Gallaudet, and Harry Truman on 20-cent stamps. There's a 21-cent stamp with Chester Carlson, a 22-cent of John James Audubon, a 23-cent of Mary Cassatt, and a 25-cent stamp of Jack London, a founder of the Intercollegiate Student Association, a socialist forerunner of Students for a Democratic Society, but he was a great writer so we forgive him his youthful folly.



There's F. C. Laubach on the 30-cent stamp, Dr. Charles Drew on the 35, an R. Millikan on the 37, Grenville Clark on the 39, Lillian Gilbreth on the 40, Dr. Harvey Cushing on the 45, Admiral Chester Nimitz on the 50, John Harvard on the 56, Hap Arnold on the 65, Bernard Revel on the $1.00, William Jennings Bryan on the $2.00, and Bret Harte on the $5.00.

With the exception of Mason, Truman, Nimitz, and Bryan, none of these folks falls into the old-time definition of an American hero. Instead, we've got radical females, doctors, journalists, educators, and administrators, most of whom no one has ever heard of.

Unless you happen to be a stamp collector, or are otherwise bored and mordantly curious, you are not likely to ever find out who they are. If you can name even half of them, you ought to get yourself on a serious quiz show right away. At this rate, the postal service might as well put Henry Tapinski on a stamp. Who is Henry Tapinski? I don't know, and that's precisely the point!

The more pressing question, however, is this: Where are George, Ben, and Tom? For the first time since the original items of 1847, you can't buy a stamp from the post office these days with a genuine Founding Father on it.

So, what kind of stamps should we expect during the Bush administration? Invisible ones, with Harvey the Rabbit or Topper? Nature stamps of turtles or snails? As with lots of others aspects of this as-yet-themeless presidency, nobody knows. In any case, the next time you go to the post office to buy stamps, just remember: Even if you flunked civics in 10th grade, you're about to lick American history. ◻

Homer T. Knudbocker is the pseudonym of an admitted philatelist.

BACKPACK SOCIALISM

BY JIM MCINTOSH

In March 1989, Bernard Sanders of Burlington, Vermont, the nation's only admitted socialist mayor, having declined to run for a fifth term, ended his eight-year tenure. He was replaced by one of his appointees, not an admitted socialist, who has vowed to continue Sanders's agenda.

Upon leaving office, Sanders announced that he would be "writing and lecturing," which means talk shows and campus forums. He has cut an album of folk songs. He has a dream of establishing a third political party, a leftist coalition outside the Democratic and Republican parties. He says his Burlington experience proves that it is possible. He will be seeking publicity and getting it.

Bernie Sanders: radical talk, New Deal policies

For nearly a decade, Sanders, 47, has enjoyed generous attention from an indulgent media. *U.S. News and World Report* cited him as one of the nation's 20 best mayors. *Newsweek* termed him "the popular mayor of [a] prosperous New England city." The *New York Times* ran his opinion pieces. He is photogenic and always good for an eye-grabbing quote like, "I am not now, nor have I ever been, a liberal Democrat."

Neither is he a native Vermonter. Sanders grew up in Brooklyn and attended the University of Chicago. He spent time on an Israeli kibbutz, then in 1968 moved to the Vermont countryside to get "back to nature." Before winter was over, Bernie was in the city of Burlington, where he began producing educational filmstrips and videotapes.

In 1970 he was a congressional candidate for the now-all-but-defunct Liberty Union Party—a leftist group that espouses guaranteed incomes, nationalized industry, and disarmament. He discovered that he had a talent for paranoid oratory and a knack for getting attention. He ran twice for governor of Vermont and twice for U.S. Senate but never earned more than 6 percent of the vote. He left the Liberty Union Party in 1976, accused of building a "cult of personality." He began nurturing a martyr complex.

During the Carter era, when many leftists found a home in the Democratic Party, Sanders disdained the Democrats—a disdain he still nurses. He joined the Socialist Workers Party, serving as a presidential elector on the SWP ballot in 1980. He styled himself as a 1930s Socialist and cultivated a folksy image. He kept his name before the public by making documentaries (including a biography of Eugene Debs) and showing them on Vermont Educational Television.

In 1981, Sanders and 23 other leftwing activists met and nominated Sanders to run for mayor of Burlington. Significantly, he did not run as a Socialist. He ran as an "independent" against a weak Democrat and a weaker Republican. His timing was good. Burlington's conservative Democratic administration was vulnerable, while a new constituency—personified by Sanders and his "marpies" (middle-aged rural professionals)—was ready to flex its muscles.

Sanders won by 10 votes. Immediately, he announced that he was a socialist, and the news media loved it: in the wake of the Reagan landslide, Vermont elects a socialist! Sanders and the People's Republic of Burlington became perennial subjects of offbeat feature stories. Explains University of Vermont political science professor Garrison Nelson: "We get a lot of attention because we are within [the vicinity of] two of the most media-sensitive cities in America—New York and Boston—who send reporters up here for yucks."

Besides being good for yucks, it's hard to imagine a city easier to manage. Burlington is tiny—500 U.S. cities are bigger. Its population of 38,000 is 95 percent white, mostly middle class, with several thousand college students. Located on Lake Champlain, it is a very pretty college town, with even prettier outskirts. The living is easy in Burlington. Unemployment is less than 2 percent.

In addition to the University of Vermont and the affiliated Medical Center, Burlington boasts an IBM facility and a General Electric munitions factory nearby. The city's homeless shelters—a Sanders initiative—can sleep 80 people and always have vacancies. Since 1984, Vermont has been administered by a liberal Democratic governor who is generous with handouts. If any town could afford a few years of backpack socialism, Burlington could.

In fact, Sanders inherited a vital downtown and a stock of affordable housing. The major shopping districts and malls were in place. The city was poised to take off. When Sanders says he made Burlington thrive, businesspeople say that the city prospered in spite of him and that Burlington's economic success was due more to Reaganomics and increased defense spending than to local leadership.

The business community learned to accommodate Sanders and his bureaucrats, the self-described "Sanderistas." Truthfully, Sanders's record as mayor was basically, er, liberal. He talked

GLENN RUSSELL

like a flaming radical, but his everyday administrative policies were warmed-over New Deal stuff. He visited Nicaragua (loved it) but refused to allow peace protesters to block the entrance of the GE munitions plant. He increased taxes on businesses, but he also introduced reforms that saved taxpayers money. His folksy style—frizzy hair, no tie, rumpled clothes—was deceptively laid-back, because Sanders never relaxed, especially his mouth.

He campaigned for Jesse Jackson in 1988. He made friends with leftist big shots like I.F. Stone, Barbara Ehrenreich, and former Berkeley mayor Gus Newport. He ran for governor in 1986 and for Congress in 1988. In the latter race, fueled by a national fundraising effort and a relative absence of Marxist rhetoric, he finished ahead of a blundering Democratic candidate 38 percent to 19 percent. The Republican won. Sanders blamed the Democrats and within a month announced his retirement from city hall.

That's Sanders in a nutshell—the martyr complex, the showy style, and the substantive failures. After eight years and two statewide Sanders campaigns, there is still no third party in Vermont. Sanders's progressives do not even hold a majority on the Burlington City Council. His "rainbow coalition" has fewer than 300 paying members. His paranoid refusal to play along with the Democrats has made bitter enemies in the powerful New England faction of the party. He cannot dependably deliver any sizable bloc of voters. He has no conspicuous protégés. Except for achieving celebrity status, what has he accomplished?

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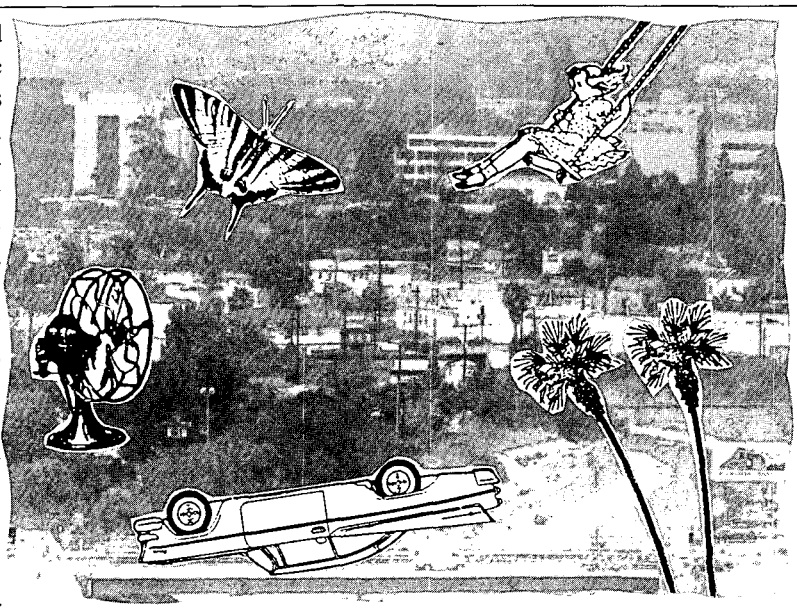
BY JO KWONG



The EPA sits perched like a giant atop the San Gabriel Mountains overlooking Los Angeles, sniffing the air disapprovingly and tapping the billy club of Clean Air Act sanctions in the palm of its hand. For two decades, the South Coast Air Quality Management District has faced the task of meeting federal and state air quality standards for an area covering 13,350 square miles. Angelenos have mostly ignored AQMD officials. But now, those officials are saying smugly, if you don't start listening to us, you'll have to deal with Mr. EPA.

With Washington threatening to impose its own measures if Los Angeles doesn't, the AQMD in March approved a master plan for cleaning up the air. It is being watched closely in cities and states across the nation.

The first stage of the plan alone proposes 120 measures to control emissions. Using lighter fluid on your backyard barbecue during "summer smog episode days" will be an air crime. Only radial tires will be allowed. No more gas-engine lawn mowers or chain saws. Underarm deodorant: banned.

The plan itself, of course, speaks in no such straightforward terms. It proposes "requiring reformulation of [underarm] products with less reactive components" or that "all non-utility internal combustion engines not used for emergency standby be phased out and replaced with electric motors."

The main focus of the plan, though, is vehicle pollutants. It calls for $44 billion or so in new transit and highway facilities, converting most vehicles to solar power or methanol fuel, forcing businesses to locate in residential areas, limiting the number of family cars, and putting 60 percent of the workers in the four-county area on alternative schedules: nine-day, 80-hour or four-day, 40-hour work weeks. The AQMD has made no small Plan.

Some of the technologies required to effect it, admits the AQMD, "may not exist yet." And critics say that many of the measures will not improve the air nearly as much as the AQMD hopes and might even cause more damage. No one really knows, for example, the environmental effects of substituting methanol, which yields the byproduct formaldehyde, for petroleum.

The good news is that the plan will never become law in its present form. Many of the measures await approval from all sorts of governmental entities, from local zoning boards to regulatory agencies such as the FAA. The usual lobbyists will turn out in force to oppose them.

The bad news is that while not all of it will become law, parts of the plan surely will. And the AQMD's approach to cleaning up the air is fundamentally and systemically flawed. The underlying assumption is that regulators can assess overall air quality in the Los Angeles basin; can understand the interactions and operations of everyone and everything that pollutes; can design alternatives to virtually everything in society from gardening to manufacturing, from cosmetics to transportation, taking into consideration the aggregate air pollution effects of these alternatives; and can impose, monitor, and enforce each of their dictates. Even without consideration of cost-effectiveness or least-cost solutions, this is a Herculean task.

Fortunately, there is an alternative to such command-and-control approaches. Most people share the goal of improving air quality and are willing to pay to achieve it—despite the hue and cry from critics about how much the plan will cost (pro and con estimates range from $3.9 billion to $12.8 billion annually). The problem with the plan is not that it will cost but that it gives area residents little choice about how to go about achieving cleaner air.

Admittedly, in the absence of regulation, people do not freely incorporate pollution control measures into their lifestyles. Any move to stop treating the air basin as a "free good" is going to cost. But instead of requiring specific technologies or prohibiting particular processes, the AQMD would do far better to establish practical, enforceable air-quality levels and let people search for the least-cost means to achieve them. Under a variety of emission pricing schemes, all types of emissions—residential, commercial, industrial, and agricultural—could be reduced by encouraging "markets" in air quality.

JONATHAN NOUROK

The basic idea behind such markets is to improve air quality by charging polluters for the costs they impose and compensating people who make investments in antipollution equipment and processes. When we have a financial incentive to care about the level of pollution we generate, we will undertake measures to reduce our "pollution bills," just as skyrocketing oil prices induced voluntary conservation.

Suppose, for example, that the AQMD simply required all industries to reduce emissions by 5 percent by some date (varying percentages could be established for sulfur and nitrogen oxides, carbon monoxides, hydrocarbons, and so on). Companies that have already invested in pollution control could be exempted from the first phase. Alternatively, on a sliding scale, the worst offenders could be required to reduce emissions more than less-polluting companies. Polluters would pay for emissions above the specified level.

Rather than dictating each technology or process that every industry must use, such an approach would allow individual firms to decide the least-cost, most convenient ways to reduce air pollution. The polluters, who know more about their own production technology than most regulators, could choose the level of emissions they will produce while taking into consideration the efficiency of alternative processes.

There are other ways, too, to use the pricing mechanism to control pollution. In an emissions trading scheme, polluters who go over the limit can purchase "emission reduction credits" from companies whose pollution levels are below the standards. For example, if Arco has developed a new process that cuts its release of hydrocarbons below the mandated level, it could sell those rights to DuPont if DuPont has not managed to meet the level.

Current EPA regulations allow for such trades, and they are even being used to reduce the aggregate pollution levels in a basin. With each trade, some pollution rights are "retired." To exercise 100 pollution rights, for example, a company must purchase 110 rights and retire 10. Overall pollution in the area is the better for it.

Several companies have emerged to broker trades in air rights. They locate buyers and sellers, appraise the market value (hydrocarbon offsets in the Los Angeles area, for example, currently sell for $500-$1,500 per pound per day), assess the cost of producing an emission credit by installing pollution control, act as liaisons with regulatory agencies, and so on. Since 1976, over 2,000 emission credits have been traded.

When we have a financial incentive to care about the level of pollution we generate, we will undertake measures to reduce our "pollution bills."

Emission charges and emission trading have tremendous advantages over the command-and-control approach. They certainly offer impressive efficiency by "assigning" the task of pollution reduction to the firms that can do it at least cost. If a charge of $100/ton is implemented, for example, all firms that can reduce emissions by investing less than $100 per ton will do so. Those that can cut emissions at least cost will be the ones that reduce pollution—something no regulator has sufficient information to achieve.

Pollution from vehicles can be addressed in much the same way. As car owners we are accustomed to paying license plate fees, insurance fees, and so on, but we are not yet paying the pollution costs of our driving habits.

The AQMD proposes to deal with the problem by commanding specific behavior: businesses must relocate and workers must change their schedules so that commuting will be reduced; families must get by with fewer cars; etc.

Instead, the regulators charged with cleaning up the air over Los Angeles could establish specified levels of emissions for each business and household based on the number of people of driving age. Those exceeding the limits would have to purchase emission credits from others. This way, those who are adding to the congestion and air pollution would pay extra, and there would be financial incentives for consumers to purchase less-polluting vehicles and for industry to supply them. As the population rises, the AQMD could tighten the exchange rate for credits.

Alternatively, if the volume of traffic is contributing to pollution, the AQMD could go for a number of other measures that would let people choose how to adjust. Instead of trying to change the jobs/housing balance by forcing businesses to locate in residential areas, it could press for the repeal of zoning laws that currently keep them out. Instead of making workers change their schedules, it could get local governments to deregulate taxis, van pools, and shuttle services. Instead of mandating a limit on the number of registered cars in the basin, it could see that highways are converted to toll roads and rush-hour access priced as a scarce resource, giving people incentives to drive less and use less-polluting public transportation.

The proposed Air Quality Management Plan continues the government tradition of setting unrealistic goals for environmental quality and imposing inflexible, top-down mechanisms for achieving them. Past federal legislation set the water pollution goal of "zero discharge" into the nation's waterways. And it has remained just that—a statement of goals. Similarly, the AQMD plan seeks to put the Los Angeles basin in compliance with federal clean-air standards by 2007—using control measures whose emission reductions are highly speculative and whose true costs are yet to be revealed. This plan, too, is likely to become just a statement of goals on the environmental wish list.

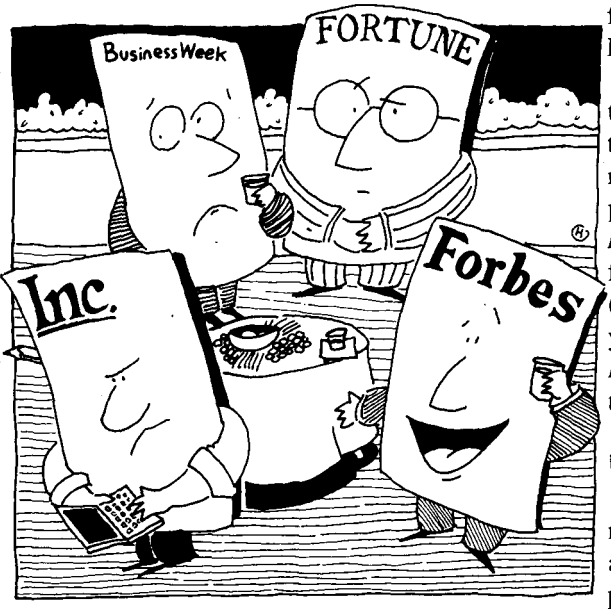
Jo Kwong is a research associate at Capitol Research Center in Washington, D.C. She recently completed a study of the AQMD proposal for the Reason Foundation.

SERVING UP BUSINESS NEWS

BY MARTIN MORSE WOOSTER

Dozens of American magazines deal with the business world. Most are readable restatements of obvious truisms about human behavior, tarted up in clotted prose to convince the reader that the authors are Serious Scientists. Many of the articles in the *Harvard Business Review*, observes *The 1989 Media Guide*, "seem as if they were written by one group of management consultants for another group of management consultants." I'd extend the criticism to most of the *Review*'s competition.

The four major American business magazines, however, are written by journalists, not professors. And *Business Week*, *Inc.*, *Fortune*, and *Forbes* reflect sharply differing views of the market. Some robustly celebrate capitalism's virtues; others look at the business world as the moral equivalent of cold Brussels sprouts or a dead rat.



In a devastating 1981 article, Steven Lagerfeld noted that *Business Week* (circulation 987,920) was "hostile to the market, oblivious to communism and other threats to freedom, and unfriendly to the spirit of a free society." A typical comment from *BW* of 1980 was Deputy Editor William Wolman's characterization of "right-wing free-enterprising members of the Republican Party" as "high-income WASPS who see government as a threat to their ability to hang on to what they already have."

Some portions of *Business Week* have improved. Sensible economists, such as Gary Becker (University of Chicago) and Paul Craig Roberts (Center for Strategic and International Studies), are allowed columns. The columnists alternating with them are Princeton's Alan Blinder and Robert "Snidely" Kuttner. In a January column, Blinder moaned that civil servants are "underpaid" and should have their salaries increased by 40 percent or so. Kuttner appears to have been encouraged by his editors to avoid his rabies shots; in a February column he ranted about the "deregulatory orgy of the 1980's," a party that did not exist outside of Kuttner's fevered brain. Another recent column had Kuttner visiting the American Economics Association meetings and discovering that all the scholars there were engaged in an *incredible* conspiracy to suppress such "sensible" proposals as socialism.

After statism, the magazine's great love is disaster scenarios. So pessimistic is *BW* that many issues should be retitled *Business Bleak*.

What do you get when you meld statism and doom? Articles with such objective, unbiased titles as "Enterprise Zones—Or Twilight Zones," and "The Gospel of Free Trade Is Losing Apostles," a lip-smacking account of how the number of protectionist economists has risen from one to three. Editorials favoring a value-added tax and a higher gasoline tax and opposing reductions in the capital gains tax. (One almost believes that staffers are required to wear "I ♥ TAXES" buttons.) And thrilling cover stories on the inevitable harm that would result from the dry winter on the Great Plains and the greenhouse effect.

BW does have more information than its competitors; it differs from them in that it is primarily a news magazine. So if your daily newspaper doesn't cover business well, *Business Week* may be a mildly useful supplement to your reading diet. (If that's your problem, however, you're better off reading *The Economist*, which has more information *and* appreciates the market.)

Then there's *Inc.*, (circulation 753,000), the neoliberal business magazine. Like most neoliberals, *Inc.* is sound on such issues as protectionism and direct corporate welfare. But its reporters appear more interested in replacing direct handouts with indirect subsidies, such as huge increases in federal spending on education and research and development.

But my primary objection to *Inc.* is not political. *Inc.*'s view of capitalism is technocratic; the generic success story covers an information-pusher who spends at least 80 hours a week toiling away on his personal computer. Perhaps this is true, but few of the people in *Inc.* profiles ever have any fun or pleasure in their work. I'm all for *Inc.*'s boosting of entrepreneurship; I'm even in favor of the recent plea by *Inc.* West Coast Editor Joel Kotkin (cowritten with Sen. Bill Bradley!) that the Democratic Party pay more attention to entrepreneurs. I simply wish that *Inc.* staffers would occasionally break away from always taking the long-dreary-hours-starting-a-business tack. If you can't have any fun at it, why start a business?

John Galbraith and John Chamberlain, I have heard, were once on the payroll of *Fortune* (circulation 750,000) at the same time. Even today, the magazine has two facets to its corporate char-

GREG HOLLOBAUGH

acter: market-oriented journalists and country-club Republicans. Indeed, *Fortune* is the last redoubt of the once-powerful Wall Street branch of the Republican Party. Most of the traditional organs of Establishment Republicanism (*Collier's, The Saturday Evening Post,* the *New York Herald Tribune*, etc.) have vanished; only *Fortune* remains.

Many fine journalists work for it. Daniel Seligman's "Keeping Up" column offers a witty and lively take on current affairs, combining clips from other journals with Seligman's own ruminations. A typical discovery, from a February column, is a *Journal of Commerce* story that quoted Vietnamese Foreign Minister Nguyen Co Thach: "The Americans couldn't destroy Hanoi, but we have destroyed our city via very low rents." (The item was headlined "Rent Control: It's Worse Than Bombing.")

Other *Fortune* strong points include the book reviews, frequently featuring such rising talents as the Manhattan Institute's Walter Olson and REASON contributor David Henderson. The "Other Voices" column includes such worthies as Hoover Institution scholars Thomas Sowell and Alvin Rabushka. *Fortune* staff writer Myron Magnet is one of the two best reporters on the social problems beat, the other being *The Atlantic*'s Nicholas Lemann.

But *Fortune* is still predominantly the voice of what *The Media Guide* describes as "the old guard, moderate Republican corporatists who reside along the Greenwich, Conn.–Princeton, N.J. axis." Economically, this places *Fortune* in the Pete Peterson/National Economic Commission camp: those who believe that the American people have *had too much pleasure* and need a high-tax diet plan.

Consider *Fortune*'s recent "Appeal to President Bush." The editors, after agonizing, decided that it was impossible to cut more than $50 billion from the budget "without seriously diminishing military prowess or returning many to poverty." Only the Rural Electrification Administration and Amtrak would be axed, leaving America's intellectual and corporate leaders fat and happy with their grants from the National Endowments for the Arts and Humanities, the Small Business Administration, and other pork barrels.

Fortune then called a large number of CEOs, who dutifully whined away about the need for more taxation. "Tobacco and alcohol have contributed to the health costs of our nation," groaned Jack McAllister, CEO of US West, a regional telephone company. "It seems appropriate to tax these for added revenue." Of course, McAllister heads a government-sponsored monopoly, so I'm sure he would agree that since excess telephone use by teenagers adds to the stress—and "health costs"—of parents, a tripling of federal telephone taxes is in order to reduce telephone use.

My favorite business magazine, for two reasons, is *Forbes* (circulation 739,100). First, I admire Malcolm Forbes for being a rich man who knows how to enjoy his money. So many wealthy people end up either agonizing over the immense burden their bucks cause or giving their money away to foundations that despise the rich, so it's nice to see Malcolm Forbes, Sr., riding motorcycles, flying strange balloons, and having a guilt-free good time.

But *Forbes* is more than its owner. Columnists include Alan Reynolds, Mark Hulbert, and some of the best work I've seen from the American Enterprise Institute's Michael Novak. George Gilder is a frequent contributor.

The magazine is also an excellent source for news outside the business world. A March article, for example, was the best I've read analyzing the animal rights movement, and the same issue included a fine piece on how rent control has crippled Santa Monica, California. Another recent issue not only analyzed the rising number of business political action committees that are not automatically funding incumbents, but even included a profile of economist Murray Rothbard by Peter Brimelow.

My investment advice: subscribe to *Forbes*; read *Fortune*—in the library.

Contributing Editor Martin Morse Wooster formerly worked for Harper's *and* The Wilson Quarterly.

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SERVICE WITH A SMELL

BY DOUG BANDOW

It has long been the view of some that the young in America are selfish and need to be prodded into helping their neighbors. Earlier this century, philosopher William James advocated drafting the nation's "gilded youth" to do such important tasks as "dish-washing, clothes-washing and window-washing" in what he called the "moral equivalent of war."

That desire to make others "serve" has never disappeared. Three general approaches to heartland America's supposed selfishness are now circulating in the nation's capital. The least ambitious is George Bush's Youth Engaged in Service (YES) initiative. It would create a foundation to pass out $100 million in grants to local service efforts. Strategy number two is Sen. Barbara Mikulski's (D-Md.) proposal to give $3,000 to those, old and young alike, who spend two weekends a month and two weeks in the summer doing good deeds.

The third and most serious initiative comes from the Democratic Leadership Council, including Sens. Charles Robb (Va.) and Sam Nunn (Ga.) and Rep. David McCurdy (Okla.). It would create a "Citizens Corps" and condition federal educational benefits on one or two years of civilian or military service. One of the first bills introduced in the new Congress was the DLC scheme, and its advocates have been hitting the Washington media circuit, generally playing to rave reviews.

All three plans represent solutions in search of a problem. But with the president and a host of influential Democratic legislators pushing for one or another variant of service, there is a good chance that Congress will enact something.

The YES program is perhaps the silliest, duplicating the efforts of existing programs such as the Student Community Service Project and the Office of Project Demonstration and Development. And without such federal meddling, more than one-third of college students already participate in social-service projects, up from 20 percent in 1985. Such efforts are worthwhile precisely because they are voluntary, arising spontaneously to meet the needs of the community. Passing out federal checks would be the quickest way to squelch individuals' volunteer spirit and corrupt service groups, changing their focus from helping people to collecting government funds.

The Mikulski program, modeled after the National Guard, suffers from the same problem. Mikulski would turn charitable work into a de facto job. And nothing would prevent the government from funding valueless make-work. Under the Reagan administration's short-lived Young Volunteers in Action, some participants ended up working as gardeners' helpers and envelope stuffers. Groups benefiting from the Mikulski plan's free labor would likely assign participants to do the tasks previously left undone because no one felt they were worth doing.

Finally, imagine the administrative mess. Who would ensure that everyone shows up and does the job? Could the local service group fire volunteers who performed poorly? Would participants be guaranteed a hearing before they could be laid off and lose their $3,000? And so on.

The problems with the *Bush and Mikulski* plans pale, however, in comparison to the flaws in the DLC program. It, like the others, would pay for service in a land already awash with volunteers. And even more than Mikulski, the DLCers would turn supposedly compassionate service into just another job, rewarded by $100 a week, health insurance, a $10,000 annual voucher for tuition or home purchase, and "such other assistance as the Corporation considers necessary and appropriate."

In this way, the program would transform today's obnoxious entitlement ethic—that college students are entitled to a taxpayer-subsidized education—into an even more insidious one: that they are entitled to a taxpayer-subsidized education if they perform government-approved tasks. The obvious solution to letting young people wrongly believe that life offers benefits with no responsibilities would be to eliminate the unjust benefits.

The program is also explicitly designed to fill only jobs not worth doing. The legislation requires the Citizen Corps to ensure that none of its members displace any current worker or impair "ex-

BOB SCHUCHMAN

isting contracts for services or collective bargaining agreements."

Anyway, the government has never found many useful tasks for social-service workers. The number of VISTA workers peaked at 5,000 in 1980. Between 1965 and 1970, the United States classified 170,000 people as conscientious objectors, but only about half of them were assigned to "service" jobs. The Depression-era works programs employed millions but largely to build roads and such, not to "do good."

With roughly 3.5 million people turning 18 every year—all of whom would be eligible to serve two years—the Citizen Corps could draw millions of participants. What does the DLC suggest? Working with the terminally ill, helping day-care centers, building playgrounds, handling police paperwork, and installing smoke detectors in the homes of senior citizens—activities that hardly justify a massive new federal program.

The bureaucracy required to administer a system involving so many young people would squash the local volunteer groups that are supposed to help carry out the program. There would be a Corporation for National Service, which would determine "appropriate" service for members of the Citizens Corps and then monitor participants. The legislation would require state governments to establish "a national service plan." National service councils—composed of community groups, local government officials, business people, school representatives, and labor unions—would prepare their own plans and oversee their implementation.

The plan's proponents estimate that it would cost about $13.6 billion, $8.3 billion of which would come from educational subsidies to be phased out. But if the number of participants was not the estimated 800,000 but, say, 2 million, the expense would be far higher. And the DLC initiative would not actually eliminate student loans. It would simply make them unavailable to anyone who hadn't participated in the Citizen Corps. People could perform their service, collect their $10,000 annual voucher, and then apply for Pell Grants, guaranteed student loans, work-study jobs, and other subsidies. The supposed $8.3-billion savings is likely to be largely illusory.

The program would transform today's obnoxious entitlement ethic—that college students are entitled to a taxpayer-subsidized education—into an even more insidious one....The obvious solution to letting young people wrongly believe that life offers benefits with no responsibilities would be to eliminate the unjust benefits.

Finally, the DLC program is supposed to help "save" the All-Volunteer Force by encouraging the enlistment of two-year "citizen soldiers," who would collect a $24,000 voucher to make up for their reduced pay. But the AVF is already recruiting young people who are smarter and better-educated than the general youth population. And the easiest way to make the military more attractive to young people would be simply to kill student-aid programs, so that the only federal educational benefits were offered by the military.

Indeed, creating federal civilian service is likely to draw people away from the military. "We don't want high-caliber people who might otherwise join the Army off planting trees instead," says Thomas Byrne of the private Association of the U.S. Army.

Moreover, an influx of short-term "citizen soldiers" would reduce the experience and skill levels of the armed forces by increasing turnover, which would hike training costs and require added reenlistment incentives to maintain an adequate-size career force. A Pentagon report last fall estimated that a DLC-style program could increase military costs by several billion dollars annually.

There is yet another reason to oppose the DLC plan: it is but a stalking horse for a mandatory system. "If I could have a magic wand, I would be for a compulsory system," Charles Moskos, author of *A Call to Service* and the DLC's intellectual guru, told *Time* magazine last year.

McCurdy has backed the draft in the past. So has Nunn, who wrote a decade ago that mandatory service "for *all* youth...would ultimately be of great benefit to the nation." At a recent forum, Robb allowed as how he supported universal military training and would like to have a mandatory program but didn't believe it is currently possible.

Once again our leaders in Washington have looked out across America and found it wanting. And their solution is the enduring panacea of national service, which will supposedly make people compassionate, meet social needs, and enhance the nation's security. But we shouldn't be fooled by their kindlier, gentler rhetoric about what would in fact be the greatest social-engineering scheme in U.S. history.

Government-sponsored national service will either be elective, in which case it will duplicate private efforts, stifle existing organizations, and waste money. Or it will be mandatory and will subvert the compassionate impulses that animate true voluntarism and will violate the principles of what is supposed to be a free society. We need more individual service, not a program of government service.

Contributing Editor Doug Bandow is a senior fellow at the Cato Institute and author of Human Resources and Defense Manpower, *forthcoming from National Defense University Press.*

Tapped-Out Musicals

BY JOHN M. HOOD

In Tap's all-too-brief jam session, the old-timers make Gregory Hines look like a flatfoot.

The problem with *Tap* can be summed up in four words, which appear as one of the first lead-in credits in the film: "Improvography by Gregory Hines." Not choreography, mind you, but improvography—a pseudo-word coined, no doubt, to lend the film's dancing an air of artistry. Nice try.

Tap is the story of an ex-con who comes home after serving time for burglary, intending to win back the heart of his true love and the admiration of her young son while resisting the temptations of his former felonious life. He does it, of course. But in venerable musical fashion, the plot is a throwaway. Dance movies are made to showcase dancers. And at that task, director Nick Castle fails miserably.

He and Hines have managed to extract from their musical the one element crucial to the genre: fantasy. In this mistake, though, they are barely unique. Sometime in the mid-1960s, filmmakers took a previously serviceable concept—the musical about people doing a musical—and turned it into a cinematic obsession. From *All That Jazz* and *Fame* in the 1970s to this decade's *Flashdance* and *A Chorus Line*, big-budget dance movies have consistently featured characters who are simply performers either auditioning or rehearsing for a show, thereby providing opportunities for musical numbers.

Filmmakers evidently thought that modern audiences would no longer accept improbability—singing in the rain, dancing on the ceiling, or spinning on the Empire State Building. They were wrong. The recent success of *Little Shop of Horrors*, a completely fantastic Broadway-hit-turned-Hollywood-megahit, should have laid that myth to rest. But, loath to buck a trend, *Tap* went for realism.

Few dance films have ever boasted so stellar a cast. In addition to the finesse of Sammy Davis, Jr., who plays the father of Hines's love interest, every conceivable style or gimmick is represented by the original article: Bunny Briggs ("nerve-tap," or rapid tapping close to the floor using only the isolated foot), Steve Condos (buck and wing), Jimmy Slyde (you guessed it), Sandman Sims (right again), and my personal favorite, Harold Nicholas (one of the Nicholas brothers, acrobatic tappers who starred in such midcentury musicals as *Stormy Weather*). Indeed, the real problem is that in their all-too-brief jam session, the old-timers make Hines look like a flatfoot, as does even young Savion Glover, star of Broadway's *Tap Dance Kid*.

Talent surges in *Tap*, straining at the fetters of realism Castle sees fit to impose. The dancing is raw, unrefined skill. It's like listening to an operatic tenor sing scales for 10 minutes; his range and tonality may be impressive, but you really just wish he'd sing a song.

There is only one number in the entire film that has a discernible beginning and end—the finale. The rest of the film merely tantalizes. More than once, Hines begins to tap, first simply, cleanly, then adding more complexity. Suddenly, he stops to giggle. It's like watching an overwhelmed teenager at high-school drama auditions. In a word, excruciating.

In one particularly promising scene, Hines and costar Suzzanne Douglas are on the roof of her Times Square dance studio, reminiscing about a routine they had once rehearsed to the song "Cheek to Cheek." They recall how many had thought they could be a black Fred Astaire and Ginger Rogers. Do they remember the dance? Of course. They begin, and as the music swells, their flowing interpretation even starts to mimic the inestimable Fred and Ginger. They lunge, and twist, and spin....

And then it's time to giggle, again.

The film is full of such missed opportunities. Perhaps most frustrating is the misuse of gimmicks, which are always crucial to the dance-movie genre. In Fred

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Astaire's *Royal Wedding*, for instance, it was dancing on the ceiling—accomplished by constructing a room that could turn 360 degrees along a horizontal axis (and nailing down all the furniture). In Gene Kelly's *Summer Stock*, the gimmick was a bit more mundane: a creak in the floor. Kelly and his director searched many an old theater to find a stage with the precise creaking sound they wanted.

Improbability like singing in the rain used to be a hallmark of the dance-movie genre.

The makers of *Tap* were no less creative, coming up with many interesting gimmicks. Unfortunately, they never finished the thought. An almost-classic scene has Hines leading his tap groupies on a tour of the city streets, finding rhythm and inspiration in a jackhammer and a loose sewer grate. The lesson expands spontaneously into a *Fame*-like street dance improvisation, complete with a band and happy-go-lucky construction workers joining in. But just as the number reaches a feverish pitch, the film cuts away to another scene. I felt robbed. Surely I wasn't the only one.

In the classic MGM musicals of the mid-century, dance routines were used for many purposes: to portray the leads falling in love, to introduce characters, or, hell, to make use of a good gimmick. But each had a concept, clearly definable, that began, developed, and ended. When the routine was over, the film "paused" to allow the audience time to respond, even silently, with applause or a "wow" experience.

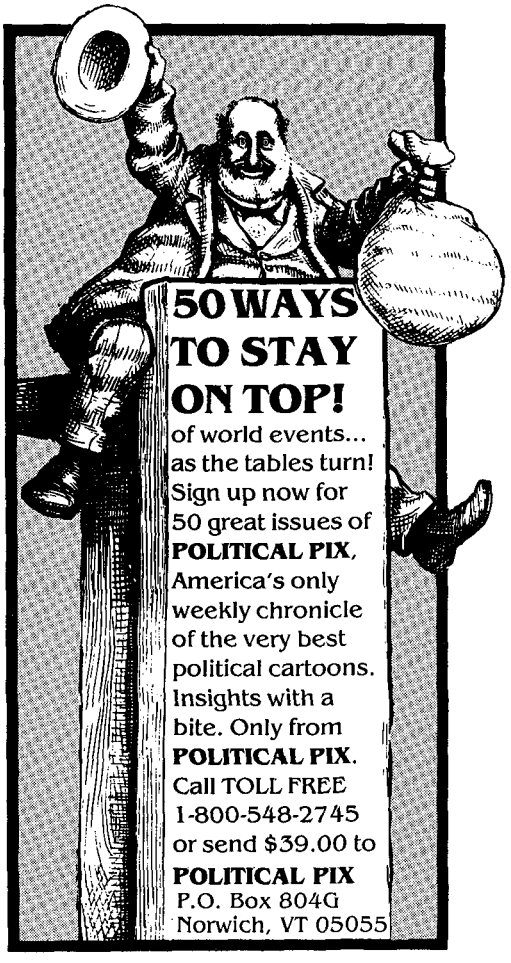
Tap and other modern dance films scoff at such conventions. Fantasy has been discarded, or at least relegated to dream sequence or drug trips. The editor's knife has become less a tool than a crutch, used to disguise dancers' lack of talent, stamina, or style. Why not just cut to another dramatic scene in the middle of a dance? Why bring an idea to a close, instead of letting it peter out? Why film a dance sequence straight through, when multiple takes and editing can make a dancer appear more capable than he or she actually is?

Indeed, the film explicitly challenges orthodox conceptions of dance in a Broadway audition scene. A director reprimands Hines for embellishing the given combination. Hines swats him, saying (but not so directly) that choreographed dance is inferior to his own improvisational style. In the scene he appears to be the lonely artist standing up for his art, but Hines's mentality is really anti-art, because it denies any role for organization, pattern, or style. He sees tap as pure stream-of-consciousness.

Though improvisation can be amazing, even breathtaking, it does not define art. Composition, a decidedly laborious process, is the only route to symphony or opera. No matter how good a blues improv Eric Clapton plays, for instance, no one could stand an entire concert of it. He still has to play his hit songs.

We all seek the anchor of melody, of familiarity, with which to organize our aesthetic perception. Sheer talent, whether in a guitarist's dexterous fretting or a dancer's furious tapping, is not enough. There must be song. Unfortunately, *Tap*, like most other modern musicals and dance films, has ignored this basic truth. If *Tap* represents the future of this uniquely American form, that future is bleak—especially if Hines, the greatest tapper of his generation, remains content to improvise rather than compose.

John M. Hood is a reporter at The New Republic *and a sometime tap dancer.*



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Can Courts Undo What the Courts Have Done?

BY JEREMY RABKIN

Liability: The Legal Revolution and Its Consequences, by Peter W. Huber New York: Basic Books, 260 pages, $19.95

The Product Liability Mess: How Business Can Be Rescued from the Politics of State Courts, by Richard Neely, New York: The Free Press, 181 pages, $24.95

Those who have generally opposed government regulation and redistribution programs and, instead, championed individual rights now face a dilemma. Rights are not what they once were. In tort law, traditional contract principles—whereby risk could once be assigned by stipulation between buyer and seller or between insured and insurer—have been set aside. Two recent books, Peter Huber's *Liability* and Richard Neely's *Product Liability Mess*, provide some insight about this transformation.

Huber's book offers a particularly readable and instructive general survey. Tort law was once preoccupied with intentional and malicious injury, then with reckless or grossly negligent conduct. In the past 20 years, however, tort law has come to be preoccupied with connecting "deep pockets"—those with financial resources to pay compensation claims—with accident victims in search of compensation. To impose the connection, tort has torn up traditional contract principles based on agreements between buyer and seller or between insured and insurer.

The result in many fields, as Huber notes, is that insurers have demanded vastly higher premiums or refused to offer insurance on any terms. In addition, valuable products and services—like vaccines against serious diseases—have been driven from the market. Other products and services have survived but now sell at substantially inflated prices to cover insurance costs.

The story Huber tells is strikingly similar to accounts, by the public choice school of economics, of what typically happens with public regulatory or redistribution programs: though reforms in tort were originally encouraged by well-meaning academic theorists, they were quickly seized and directed by self-seeking legal practitioners, who have indeed proved to be the main beneficiaries. Thus, theorists of extended liability emphasized the need to encourage safety by punishing wrongdoers with heavy, punitive damage awards. But the current system does very poorly in distinguishing prudent risk from recklessness, because as Huber complains, the same product, though it may have been cleared by a regulatory agency, can be "tried" again and again by tort lawyers and finally driven from the market by one or two adverse judgments.

Still more perversely, as Huber notes, the burden of liability in the current system tends to fall disproportionately on newer and generally safer products, simply because the risks they entail are less well known. Similarly, extended liability was praised by academic theorists as a necessary recourse for unfortunate victims. However, it turns out to be extremely inefficient as a compensation system, channeling barely a fifth of the money involved to victims and managing to "spill" most of the rest on attorneys. Huber thus urges a return primarily to reliance on insurance to compensate accident victims and on administrative regulation to reduce the frequency of accidents.

But Huber is surprisingly vague about these alternatives. He celebrates "contractual," or voluntary, approaches, while simultaneously renouncing the "harshness" of 19th-century individualism. He doesn't say whether government should require insurance or provide it directly or let people make their own choices and live with the consequences. He doesn't say whether current regulatory programs should be extended and intensified. Neither does he express any opinion on the common complaint that regulatory

BONNIE MCKAIN

agencies—such as the Food and Drug Administration—are already acting with excessive caution and choking off valuable new products. And Huber scarcely addresses at all the question of how we get from here to "there," though he seems to hold out the hope that courts can be persuaded to undertake reform on their own, as they realize the mess created by their credulous embrace of deluded academic theories.

In *The Product Liability Mess*, Richard Neely has one overriding diagnosis that corresponds to a resolute strategy for reform. Like Huber, Neely writes in a brisk, witty style, but his book is much more focused and limited. Neely, himself a state supreme court judge and prolific writer, emphasizes that state court judges—who handle the vast bulk of tort cases—have no incentive to concern themselves with the costs and consequences of overly generous liability verdicts when, as frequently happens, the needy plaintiff is a citizen of the judge's own state and costs and consequences will fall on an out-of-state corporation. Even if a particular judge is inclined to worry about burdens on innovation, he cannot trust state judges elsewhere to do so and therefore gets dragged into a "competitive race to the bottom."

This analysis does not explain why state judges held to a so-much-more-restrained view of liability before the 1960s, nor does it explain why federal judges have so far gone along with the trend in state courts. But it does launch Neely toward a simple and seemingly quite plausible remedy: let the federal courts step in and impose some sensible national standards to limit tort liability. Though the book ends with a suggestion that Congress might authorize this by statute, Neely seems to place more hope in the possibility that the Supreme Court can be persuaded to impose such national standards on its own, as it already has, he notes, with state libel law under the rubric of the First Amendment.

It is a measure of Neely's disdain for formal legal discourse that he does not even bother to sketch the terms of a constitutional argument for limiting tort liability. But he is no doubt right in his assumption that clever lawyers can be counted on to work up such an argument, if the Supreme Court can be persuaded on policy or political grounds that this is the best course to follow.

The paradox of both these books is that they look to courts to get us out of problems created in the first place by courts. Perhaps this is fitting, since, as Judge Neely emphasizes, courts have the greatest power of initiative in our log-jammed political system. But if Huber is right, it was just this sort of argument that persuaded judges to expand tort liability over the past two decades to remedy the failure of the political system to provide sufficient safety regulation and sufficient compensation for victims. In the meantime, moreover, the system has created powerful constituencies—not least the trial lawyers themselves—and they may have the strength to persuade legislatures to curb unilateral judicial retrenchments in this field.

People who seek a less wasteful and burdensome system for coping with the hazards of modern life have a lot of persuading to do. Both these books are worthy contributions. But it won't be sufficient simply to persuade judges.

Jeremy Rabkin teaches in the Department of Government at Cornell University.

Still the Brightest Mirror

BY STEVEN HAYWARD

Tocqueville: A Biography, by André Jardin
New York: Farrar, Straus & Giroux, 550 pages, $35

The French, who practically invented the superfluous intellectual during the Enlightenment, also gave us Tocqueville, whose *Democracy in America* is still unsurpassed as a mirror on the political intentions of the founding and on political circumstances today. Although far less obscure than Montesquieu, whom Tocqueville took as a model, Tocqueville has remained subject to endless interpretation and revision. Yet, while the articles and books about his thought could fill a modest library, few are the works about the whole of Tocqueville's life.

This is so chiefly because Tocqueville is a difficult person to write about. His letters and papers yield little information about his private life, and his political career, with one brief exception, failed to advance to the point where he played a role in vital political events such that he would have been recorded prominently in the memoirs of his contemporaries. He lives on through the medium of his intellectual output, with only scant material available to suggest events and influences that shaped his "new science of politics."

Still, there is a good deal more to Tocqueville than just his *Democracy in America*, and André Jardin's biography deserves a wide readership among those who would seek a more complete understanding of Tocqueville. From Jardin one learns many details of interest. Tocqueville was a descendent of Malesherbes, the indulgent chief censor of the French government during the heyday of the Enlightenment, and Tocqueville's aristocratic forebears were largely unaffected by the Reign of Terror following the French Revolution. His family, in fact, felt some sympathy for the liberal aims of the Revolution, which perhaps helps explain why Tocqueville's *Old Regime and the French Revolution* sounds not at all like Edmund Burke's frantic *Reflections*—a fact that might give pause to conservatives who hold Tocqueville in high esteem.

Throughout his life Tocqueville was transfixed by what he saw as the inevitable historical transition from aristocratic politics to democratic politics. He was naturally fascinated with America, although he understood that what made the American Revolution unique was the absence of any feudal tradition to overcome.

Tocqueville's visit to America in 1831-32 was part official junket and part political exile. The upheaval in France in 1830 clouded his career prospects—he was at the time a mid-level civil servant. The ideal time was at hand to satisfy his fascination with America, while allowing things to settle down in France. Tocqueville and his traveling companion in America, Gustave de Beaumont, hit upon a professional excuse for the trip: to study the American penal system, which then enjoyed a very low rate of recidivism.

At the time Tocqueville went to America he did not harbor prejudgments in favor of American democracy. Indeed, the events in France had cast him into one of his frequent bouts of melancholy, such that, Jardin tells us, Tocqueville wondered whether America was a model for the future or somehow a scene from the past. In a letter Jardin cites, Tocqueville described his transformation: "I went to America only to clarify my thoughts on these matters. The penitentiary system was an excuse; I used it as a passport that would allow me to go everywhere in the United States. In that country, where I encountered a thousand things I didn't expect, I also found some that were related to the questions I had so often asked myself. I discovered facts that seemed useful to know. I didn't go there with the idea of writing a book at all, but the idea of the book came to me. I said to myself that a man is under the same obligation to offer up his mind in the service of society as he is, in time of war, his body." Voilá, as the French would say.

America was not the end of Tocqueville's study of things foreign. He traveled to Algeria and wrote critically about French colonial administration. He also studied the Koran and rendered judgments that might prove dangerous today. "There have been few religions in the world as deadly to men as that of Mohammed....it is the principal cause of the decadence so visible today in the Muslim world." As a way of exploring how a colonial administration of a foreign culture could work, Tocqueville planned a book on the British in India, but he abandoned the project ostensibly because he wished to spare France the embarrassment of unfavorable comparison with England.

Interspersed throughout Jardin's narrative are otherwise inaccessible citations from notebooks and letters that amplify the great Tocquevillian themes about equality, government centralization, and religion. Readers of *Democracy in America* will remember the warning about intrusive government that "chooses to be the sole agent of (the people's) happiness; it provides for their security, foresees and supplies their necessities, facilitates their pleasures, manages their principal concerns, directs their industry, regulates the descent of property, and subdivides their inheritances: what remains, but to spare them all the care of thinking and the trouble of living?"

Circumstances in America were opposite of this at the time of Tocqueville's visit, a fact he recorded during his trip in a note reproduced by Jardin: "One of the happiest consequences of the absence of government...is the development of individual strength that inevitably follows it. Each man learns to think, to act by himself, without counting on the support of an outside force, which however vigilant he supposes it to be, can never answer all his social needs. Man, thus accustomed to seeking his own well-being only through his own efforts, raises himself in his own opinion as he does in the opinion of others; his soul becomes larger and stronger at the same time."

These two statements indicate why we still read Tocqueville closely today, even as other French intellectuals like Diderot and D'Alembert have become mere curiosities. For it is more than his aphoristic prose or his jeremiads about bureaucracy that makes Tocqueville live on. Tocqueville combined a rare understanding of both the new principles of democracy and the mostly ennobling effects democracy would have on the great mass of men, and the subtle corruptions to which democratic politics are susceptible. It is because modern democracy has largely succumbed to these corruptions that Tocqueville's wisdom is a vital means toward recovering our fundamental bearings. André Jardin has enhanced this project by enlarging our view of this great man.

Steven Hayward is director of the Claremont Institute's Golden State Project.

The New King of Gonzo Journalism

BY LAWRENCE PERSON

Generation of Swine: Tales of Shame and Degradation in the '80s
By Hunter S. Thompson, New York: Summit Books, 304 pages, $18.95

Holidays in Hell, by P. J. O'Rourke
New York: Atlantic Monthly Press, 257 pages, $16.95

And now let us speak of gonzo journalists. You might remember their heydey, in the late '60s and early '70s, when the likes of Tom Wolfe were busy stripping away the myth of the "objective journalist." To them, such a posture was all artifice, an unnecessary and artificial barrier between reporter and story. They viewed their own participation as part of the story.

Of their ranks, perhaps the most famous and celebrated was Hunter S. Thompson. When his style worked, it worked brilliantly. With the insightful and lucid *Hell's Angels*, he established himself firmly on the journalistic map, astutely capturing the Angels' free-wheeling lifestyle while scaling their reputation as sadistic monsters down to human proportions. He expanded this approach to journalism with Fear and Loathing in Las Vegas, a "savage journey into the heart of the American Dream" that left readers wondering what was real and what was drug-induced hallucination.

It was in *Fear and Loathing: On the Campaign Trail '72*, however, that Thompson found the perfect subject for his gonzo style. With acid commentary and outrageous verve, he relayed the white heat of a presidential campaign like a mad war correspondent, sending back twisted but accurate dispatches from the front. The man could *write*, damn it, and you could forgive his excesses and partisanship for his sheer panache.

But that was long ago. Fifteen years is a long time in the news business. And now, faced with *Generation of Swine*, a new collection of essays, we must ask ourselves: Has Hunter still got it?

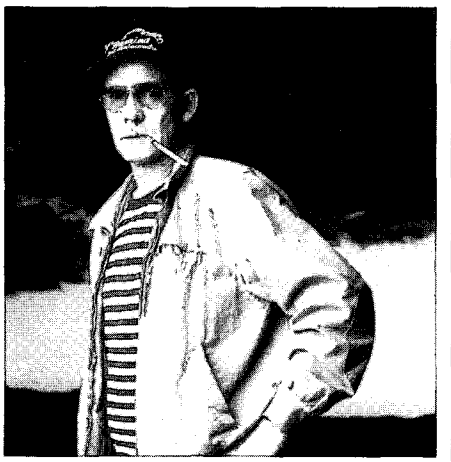
The answer is, alas, no.

True, we must admit at the outset that the format of the book is not best suited to Thompson's talents. All the entries are culled from his biweekly newspaper column, despite the fact that Thompson has always worked better at longer lengths. Even so, he seems a shadow of his former self. Where he once became part of the story, he now seems content to watch it from a distance, dispensing high-octane scorn from his retreat in the Colorado Rockies. Thompson no longer weighs and evaluates, he merely slams (condemning any Republican in view). He is still occasionally interesting, but no longer insightful.

Thompson's antiquated worldview is hopelessly stuck in 1974. Indeed, Patrick Buchanan and Richard Nixon play far more important roles in these essays than do Jeanne Kirkpatrick, Mario Cuomo, or even Ronald Reagan. It is as if History As We Know It ended the day Nixon resigned, and all that has followed since is anticlimax. You see nary a mention of Afghanistan, unemployment, Gramm-Rudman, or Mikhail Gorbachev. He seems to regain interest around election time and during the Iran hearings, but only because they provide him an echo of his Watergate-era glory.

Perhaps the worst thing about Thompson is that he has become an unapologetic hack for the Democratic Party. Despite the likes of Mario Biaggi and Jim Wright, Thompson (save for an occasional shot at Gary Hart or Julian Bond) hasn't noticed a single crooked Democrat since the era of Hubert Humphrey. Indeed, he expresses open admiration for all the party's 1988 presidential candidates.

Thompson's apparent blindness on several topics is most puzzling. Although he decries the presence of crooks and jackals in public office, he never writes about the causes of their corruption. Not once does he consider the possibility that this so-called generation of swine might



Hunter Thompson is down on a generation of swine. P.J. O'Rourke is up on Western Civilization's "bit of life, pinch of liberty, and occasional pursuance of happiness."

be the direct spawn of the lumbering monstrosity that our government has become. He slams those guzzling at the public trough but never seems to wonder about the size of the trough itself.

Thompson can still write like a crazed hyena on speed, but he no longer has anything to say. His writing is, like Macbeth's world, full of sound and fury, but signifies nothing.

On the other hand, there is another, younger gonzo journalist who has quite a good deal to say and says it brilliantly in his new book, *Holidays in Hell*. An unabashed (if slightly twisted) conservative, as well as a former editor at *National Lampoon*, O'Rourke turned in a hilarious performance in 1986 with *Republican Party Reptile*. In *Holidays*, O'Rourke, like Thompson in his prime, wants to be a part of the world going by, and to that end he reports on events from the globe's most-troubled sites. As an official "Roving Humorist" for *Rolling Stone*, O'Rourke travels to such vacation spots as Lebanon, Managua, and Warsaw, giving us the straight dope from the depths of the world's worst hell-holes. Despite a propensity to view these locales through the bottom of a whiskey glass, O'Rourke's observations are on-target, insightful, and very, *very* funny.

He has a master's eye for the telling details of everyday existence. Such as changing currency in Managua: "Jim Denton went to the exchange window with $480 for our group [and] came back with 4,080,000 cordobas, which filled an entire Adidas gym bag....you probably have to take economics over and over again two or three times at Moscow U. before you can make cash worth this little."

On life in Warsaw: "Communism doesn't really starve or execute that many people. Mostly it just bores them to death. Life behind the Iron Curtain is like living with your parents forever."

But, foreign countries are not the only locales that O'Rourke manages to visit. Indeed, he finds at least one equally frightening spot inside our very own nation: "My friend Dorothy and I spent a weekend at Heritage USA....[We] came to scoff—but went away converted. Unfortunately, we were converted to Satanism."

O'Rourke is not afraid to take on anyone's sacred cow. El Salvador and Israel get their fair share of (justified) abuse. Take, for example, his observation that South Africans "don't say, like the Israelis, 'Arabs have a legal right to live in West Jerusalem, but they're afraid to.' They don't say, like the Americans, 'In-

dians have a legal right to live in Ohio, but, oops, we killed them all.' The South Africans just say, 'Fuck you.' I believe it's right there in their constitution—'Article IV: Fuck you. We're bigots.' "

Just as Thompson has a conclusion linking his essays (we're living in a generation of swine), so does O'Rourke. As he says in his introduction, "So-called Western Civilization, as practiced by half of Europe, some of Asia, and a few parts of North America, is better than anything else available. Western Civilization not only provides a bit of life, a pinch of liberty, and the occasional pursuance of happiness, it's the only thing that's ever tried to." It is O'Rourke's willingness to show us proof of that statement that makes his book more interesting, relevant, and amusing than Thompson's.

The King Is Dead. Long Live the New King.

Lawrence Person is a contributing editor to Nova Express *magazine.*

Cry, the Beleaguered Activist

BY WALTER E. WILLIAMS

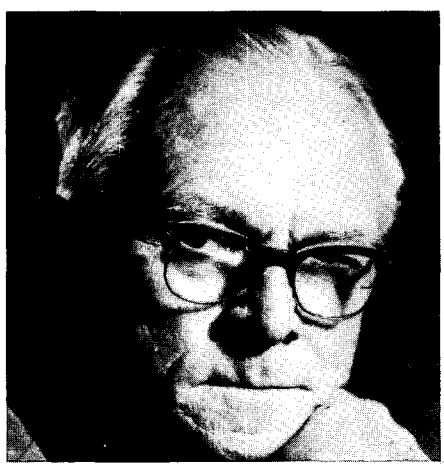
Journey Continued, by Alan Paton
New York: Scribner's, 301 pages, $22.50

Born January 11, 1903, a year after the end of the English-Boer War, Alan Paton saw his country of South Africa emerge from an economically backward member of the British Commonwealth to a thriving republic and, finally, the world's pariah nation. Until his death in 1988, Paton was one of South Africa's strongest antiapartheid activists. *Journey Continued*, a sequel to an earlier biography, records his struggle.

Paton emerged on the literary scene in 1948 when he wrote *Cry, the Beloved Country*, a novel about the injustices of apartheid. The novel became an instant bestseller and is still popular some 40 years later, having been made into a movie as well as a play entitled *Lost in the Stars*.

Nineteen forty-eight was an important year for Paton and South Africa in other ways. That year, to the world's disbelief, Jan Smuts's United Party was sent down to utter defeat by D. F. Malan and his National Party. Paton at this time had been principal of Diepkloof Reformatory for delinquent black youth for 10 years, making important reforms such as providing for inmate education and job training and eliminating barbed-wire fences.

The Nationals' victory signaled to Paton that black reformatories would be placed under the racially dogmatic minister of native affairs, Hendrik F. Verwoerd, who had nothing but contempt for Diepkloof and black people. Surmising that sooner or later he would have been broken, Paton resigned his post on June 30, 1948—a resignation made easier by the financial success of *Cry, the Beloved Country*.



Alan Paton: "It is easier for white people to act morally when they are in the majority."

Paton describes himself as having "a love of freedom and rule of law, and a complementary hatred of authoritarianism." No doubt Jan H. Hofmeyr, Paton's friend and mentor, had a significant impact on his intellectual development. Before the United Party went down to defeat, Hofmeyr was heir apparent to Prime Minister Smuts. Hofmeyr's pursuit of the rule of law, a nonracial society, and free trade go a long way toward explaining the stunning electoral success of the Afrikaner National Party.

In *Journey Continued*, Paton grapples with the question of how Afrikaners, who are devout Christians, could promote the thoroughly racist policies of apartheid. The Afrikaners' vision of God provides one part of the answer. God, they contend, created separate races; keeping them separate is thus doing God's work. Suffering, they believe, is a small price to pay for achieving the work of God.

Second, since whites are heavily outnumbered in South Africa, they must maintain a separate identity to avoid the *swart gevaar* (being overrun by blacks). After all, whites hold, it is they who bring civilization to the continent, and it is to the benefit of all, including blacks, that whites survive.

Paton views the third and fourth reasons—racial abhorrence and racial supremacy—as less respectable than the first two, and most white people will not publicly admit to these sentiments. He identifies the fifth reason as plain and simple greed, which has, for example, prompted nonwhites' removal from urban areas simply because those areas rose in value and whites wanted to establish residency there.

Paton professes to be "impatient with those who offer moral solutions to political problems," pointing out that South Africa is different from the United States. Blacks in the United States represent only 13 percent of the population; blacks in South Africa, over 70 percent. "Therefore," according to Paton, "the white people of the U.S.A. would find it easier and less frightening to grant full legal and political equality." In contrast, the majority of the white people of South Africa would find it very difficult and frightening. "It is easier," Paton notes, "for white people to act morally when they are in the majority."

He points to other complexities: American blacks and whites share the same culture and Christian-based religion and have a common language and shared

respect for the Constitution. In South Africa, blacks speak at least 10 different languages and have a large diversity of religions and cultures. Though acknowledging huge disparities of wealth, income, and possessions among blacks and whites in the United States, Paton observes that they are nonetheless dwarfed by those in South Africa, making the achievement of political solutions all the more difficult.

I take little exception to Paton's accounting of the problems and injustices in South Africa. His troubled country, however, is really only a special case of a much larger phenomenon in which powerful elites determine social goals. If individual liberty, property rights, and the rule of law interfere with the achievement of these social goals, then individual liberty, property rights, and the rule of law are ruthlessly suppressed.

In South Africa's legal system, a mixture of Roman-Dutch and English common law, its citizens are equal in civil matters, with one important exception—where constitutional and administrative law has prohibited equality. For almost 100 years South Africa's appellate courts have carried on a running battle with parliament. The courts would find an apartheid law unconstitutional, and parliament would overrule by passing another law. In short, laments Paton, "there is no rule of law; parliamentary supremacy means the courts, unlike those in the US, cannot review acts of Parliament."

In 1953, Paton helped establish the Liberal Party and was an officer throughout its 15-year life. The party, announced its charter, "will only employ democratic and constitutional means to achieve the foregoing objects, and is opposed to all forms of totalitarianism such as communism and fascism."

The party came under attack not only from the African National Congress and other antiapartheid groups but from the government. The ANC criticized the Liberal Party for diluting the unity of antiapartheid forces with its anticommunist stance. But the party also raised the hackles of the rabid anticommunists of the National Party, who identified any organized attack on apartheid as a communist plot. For a dissenter, Paton was lucky. He was only followed by security police for 12 years, and beyond that, all the government ever managed to do was impound his passport.

One cannot help but admire a man whose principles often put him at odds with those he sought to help. This was particularly the case in his stance against disinvestment and sanctions: "I believe they are utterly mistaken to think that sanctions and disinvestment will bring beneficial change. You cannot change a society for the better by damaging or destroying its economy. Sanctions are intended to be punitive, and punishment is not the way to make people behave better."

My one criticism of *Journey Continued* is what I see as an important omission. South Africa, compared to the West, has many failures in protecting human rights. However, compared to the rest of Africa (and elsewhere, for that matter), it would rank fairly high in human rights

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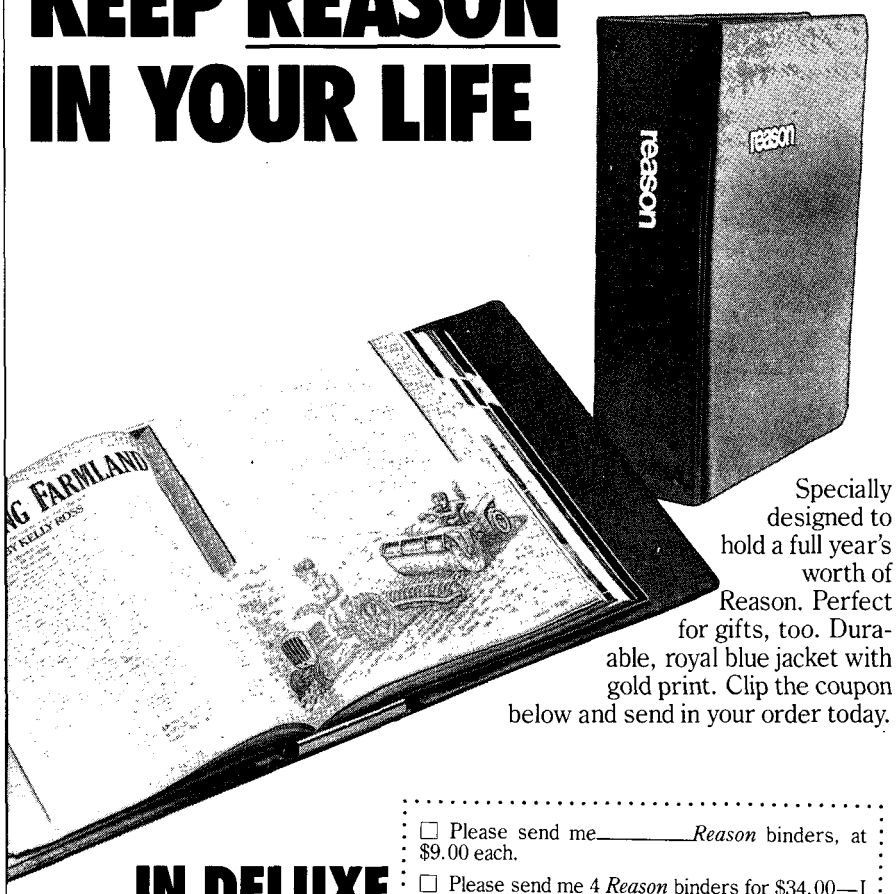

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protections. South Africa has no history even remotely comparable to the horrendous barbarism seen in Uganda, Ethiopia, Chad, Burundi, the Central African Empire, Zimbabwe, and other states. Paton must have known this, because he acknowledged that South Africa has never produced murderers like Hitler and Stalin.

Alan Paton died April 12, 1988, leaving behind many decent people who seek full justice for their fellow countrymen. The tragedy of Western policy toward South Africa is that it undermines the power and influence of blacks, Indians, Coloreds, and whites working toward a permanent peaceable solution and strengthens the hand of black and white extremists whose only concern is the color of the dictator.

Journey Continued is one of Paton's 11 books. It surely rivals *Cry, the Beloved Country* in literary quality and compassion and is well worth reading for people on both sides of the sanctions and disinvestment debate. The author comes to the end of the book, and his life, with the gentle plea:

God Bless Africa
Guard her children
Guide her rulers
And give her peace
Amen.

Contributing Editor Walter E. Williams is the John M. Olin Distinguished Professor of Economics at George Mason University and author of South Africa's War Against Capitalism, *to be published this summer by Praeger.*

Why the Russkies Need Bucks

BY RONALD BAILEY

The Coming Soviet Crash: Gorbachev's Desperate Pursuit of Credit in Western Financial Markets, by Judy Shelton, New York, The Free Press, 246 pages, $22.50

Shortly after the euphoria of VCW Day (Victory in the Cold War, marked by Gorbachev's speech before the United Nations on December 7, 1988), New York's Sen. Daniel Moynihan (D) mused, "Will the next superpower competition be the drive to replace the United States as the world's largest debtor?" The United States has a commanding lead, but as Judy Shelton shows in her new book, *The Coming Soviet Crash*, the Soviet Union is poised to give us a good run for our money.

Shelton, a senior fellow at the Hoover Institution, starkly details the Soviet Union's desperate economic situation. She carefully describes the financial debacle confronting the Soviets unless Western governments and bankers can be cajoled into bailing them out. The key to Soviet economic disarray is decades of massive budget deficits. Only this past October did the Soviets admit that they have been running huge deficits. The U.S. federal budget deficit at only 3 percent of GDP is a piker when compared to the whopping Soviet deficit running at an incredible 11 percent—nearly four times greater.

Despite the Soviets' new candor, they still do not admit what Shelton shows to be the case: that the massive shortfall in the Soviet budget is not a recent phenomenon. Since 1970, the Soviet deficit has grown from an already breathtaking 20 percent to more than 30 percent of the budget.

How did the Soviets end up in this fiscal nightmare? The government pumps billions of rubles into failing industrial enterprises—some 24,000 firms are unprofitable. By adroit accounting, these rubles are treated as loans to be paid back out of future increases in the enterprise's productivity. The catch is that there are no productivity gains.

The Brezhnev years have been dubbed the Era of Stagnation for very good reason. The "loans" are really subsidies to Soviet industry. These subsidies are used to pay the salaries of workers who would like to spend them on consumer goods. Consumer goods are, however, few and far between in the Soviet Union. So Soviet citizens put their rubles into savings accounts. The Soviet Union may be the only country where increased savings is actually a sign of economic ill health. From 1970 to 1986, deposits grew from 47 billion rubles to 243 billion rubles—more than five times. Why? Not because somnolent Soviet workers were suddenly infected with the good old Protestant work ethic, but because they simply had nothing on which to spend their money.

This flood of rubles has not caused overt inflation for the simple reason that Soviet central planners have refused to let prices rise. In the United States, inflation shows up as higher prices, whereas in the Soviet Union it shows up as shortages. This results in longer and longer queues for fewer and fewer goods and in corruption in burgeoning black markets. If Soviet price controls were lifted, this suppressed inflation would explode. Given the civil unrest caused by higher prices in Poland, ballooning inflation would probably sweep away the current leadership and possibly even endanger the whole Soviet regime. Ironically, Lenin's prescription that the way to undermine capitalist economies is to "debauch the currency" turns out to be just as true for communist economies.

General Secretary Gorbachev, in an attempt to resuscitate his flagging economy, has cobbled together a program of economic restructuring, the famous *perestroika* of which we hear so much in the West. Perestroika is supposed to increase revenues from Soviet enterprises by forcing them to become more productive. Enterprises are expected to become self-financing. Also, the government itself is to cut costs and be decentralized. Finally, prices are slated to increase substantially.

But this ambitious plan can only succeed if Soviet workers can be persuaded to tolerate higher prices, unemployment, and more hard work. "Workers will be forced to work harder for less money, and the money will not go nearly as far in view of the rising prices," writes

Shelton. "In short, perestroika is a financial squeeze for the average Soviet consumer."

Clearly, paying workers more worthless rubles won't motivate them to improve productivity. This is where the West comes in. Our role is to supply the consumer goodies that will make Soviet workers more tractable during the transition to perestroika. "Let the West provide the carrot for Soviet workers to get perestroika rolling," observes Shelton.

Western technology is also vital to improving the productivity of Soviet enterprises. Shelton persuasively argues that if Gorbachev cannot get perestroika going, then the game is lost anyway, so he has nothing to lose by borrowing as much as he can in order to finance his gamble.

And borrow Gorbachev has. New Soviet financial initiatives have been fast and furious. Since Gorbachev took office in 1985, Soviet borrowing has jumped by more than 50 percent. All this borrowing is occurring at a time when the Soviet Union's two major hard-currency exports, oil and weapons, are being hammered on world markets.

Finally, a desperate Soviet Union is trying to entice Western companies into joint ventures with Soviet enterprises. Just how Western businessmen will be able to repatriate their profits, if any, is a detail to be worked out later.

Gorbachev's gamble on perestroika is already in deep trouble. Decentralization, enterprise self-financing, and price reform are all lagging way behind schedule. In January, he reportedly pleaded with skeptical colleagues to give perestroika more time. He asserted that the current, severe shortages of food and consumer goods are not the fault of his economic initiatives. He blamed the situation on decades of huge budget deficits that had been thoroughly concealed from the Soviet Union's citizens (and Western bankers). Gorbachev even called the budget deficit "the gravest heritage of the past." Nevertheless, he declared, "There is no basis for pessimism, despondency, let alone panic." But as Shelton shows, there is.

In view of the serious situation within the Soviet Union, what should the West do? Many policymakers argue that, because he represents truly new thinking in the Kremlin, we must help Gorbachev succeed. They hold out the hope that *this* time the West has an opportunity to wean the Soviets from totalitarian communism.

Shelton urges Western leaders not to succumb to the current end-of-the-Cold-War euphoria. By rushing to bail out the Soviets, the West will be giving up real economic resources in return for ephemeral political concessions. As we all know, the promise of any politician can be revoked overnight, but a factory lasts a bit longer. And capital is fungible. "Funds can be used to produce washing machines, run prisons camps, or build nuclear warheads," writes Shelton. When goods are manufactured outside the Soviet Union, paid for with Western credit, and then imported for use in the internal Soviet economy, they permit scarce Soviet resources to be deployed elsewhere—Afghanistan, Angola, Cuba, Vietnam, Nicaragua. The West should heed French political commentor Jean-François Revel, who recently wrote: "If we are truly aiming to induce the great Communist systems to democratize, the one thing we must not do is help them surmount their crises while remaining communist. For unless the sickness is allowed to run its course, they will never fundamentally change."

Shelton's book is a thought-provoking and timely warning to the West that rocky times are inevitably ahead for the Soviet Union as communism slowly strangles itself on its own internal contradictions.

Ronald Bailey is a Forbes *magazine staff writer.*

Book Hints

Revolutionary War buffs and scholars of early American history will find the writings of Mercy Otis Warren, resurrected by Liberty Classics, a fascinating narrative by one of the few women chroniclers of the era. Antifederalist in perspective, the **History of the Rise, Progress and Termination of the American Revolution** (Indianapolis, 2 vols., 762 pp., $30/$15) not only provides a look at historical events but offers a perspective on the ethical and philosophical underpinnings of the American Revolution.

Another Liberty Classics book, **The Correspondence of Adam Smith** (464 pp., $7.50 paper), edited by Ernest Campbell Mossner and Ian Simpson Ross, gives a glimpse into Smith's private life. By his own admission a lazy correspondent, Smith wrote mostly insubstantial letters inquiring after the health or activities of his friends. However, occasional missives to such renowned thinkers as David Hume, Edmund Burke, or Jeremy Bentham contain commentary that fleshes out Smith's own philosophy. But even the more mundane epistles help bring Smith to life, verifying his own assertion that "the smallest circumstances, the most minute transactions of a great man, are sought after with eagerness."

Ayn Rand: The Voice of Reason—Essays in Objectivist Thought (New York: New American Library, 353 pages, $19.95) offers Rand's perspective on a variety of topics—the Vietnam War, the space program, religion, and even Marilyn Monroe. Also included in the collection are essays by her literary executor, Leonard Peikoff, and one essay by Peter Schwartz, editor of *The Intellectual Activist*. Concisely defined in the book's introduction, Rand's Objectivist philosophy "upholds *capitalism* in politics, on the basis of *egoism* in ethics, on the basis of *reason* in epistemology." This collection of works amply illustrates Rand's development of these ideas.

For lighter fare, James Hogan's high-tech thriller **The Mirror Maze** (New York: Bantam, 448 pp., $4.95 paper) portrays a future America in which a third political party, the Constitutionals, has united the country around the goal of unrestrained freedom. Hogan, former winner of the Prometheus Award, here gives us intrigue as well as food for thought.

—L. S.

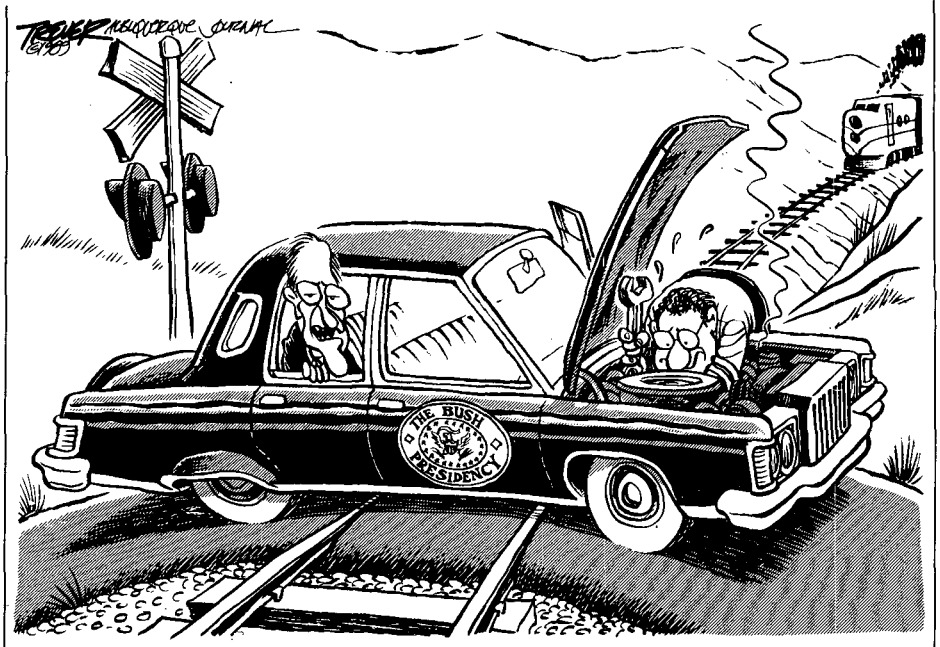
BRICKBATS

Cosmetology instructor Michael Cerami was convicted of first-degree manslaughter for shooting a school official who had asked for his resignation. After Cerami was acquitted by reason of insanity in a second trial, a New York State appeals court ruled that job stress contributed to Cerami's mental breakdown and awarded him workers' compensation.

Ban lollipops? That's professional busybody Dr. Sidney Wolfe's solution to an idea that might make the medicine go down a bit smoother for kids. Children are generally afraid of injections, so a Utah company is testing a narcotic-laced lollipop that children can lick before undergoing surgery. Anesta Corp. makes these "treats" with a purple dye that coats the tongue and lips to help catch doctors or nurses who might misuse them. But Wolfe is outraged. He claims the abuse potential is huge and has petitioned the FDA to halt the experiment.

Is it art, or schlock? The People's Republic of Massachusetts has decreed that the state shall decide the difference. Gallery owners complained that cut-rate paintings from Asian countries—often painted by many people in assembly lines—were luring tourists away from their finer artwork. So the state enacted a law barring the sales of mass-produced paintings unless clearly labeled "not an original." Local artists in Rockport, an arty community, "are irate" because "our art is affordable," says Jack Abady of United Oil Paintings, Inc. "I guess they feel art should be out of reach."

Albert and Elizabeth Watson dared to ask New York City for permission to erect a fence on their property. The Watsons bought a building that had been vacant for years and had become a haven for druggies. They gutted the interior and rebuilt it as a photo studio. But the property is located in a "landmark" district in Greenwich Village. So city planners demanded a large window to retain the area's industrial character. The Watsons agreed, but also wanted some privacy. So they decided to put up a fence. Not so fast, says the city. No community group or agency opposed the fence. Scores of city agencies approved the plan. Still, it's taken three years, six hearings, rulings by 10 different government bodies, and more than $20,000 to get the fence put up. "There are two ways to do a building in New York," says the man who managed the project. "The New York way, where you pay everybody off, or the correct way. We did it the correct way."



"STALLED? NONSENSE — WE'RE RIGHT ON TRACK...."

You don't have to pry Robin Heid's gun out of his cold, dead hands. Just make him a good offer. A Denver Roman Catholic priest, Marshall Gourley, did just that. The padre offered $100 to anyone surrendering a firearm. Heid, a 35-year-old private investigator, turned in a cheap handgun worth $40. He'll use the $100 as a down payment on an AR-15 assault rifle. "This is a capitalist country," says Heid. "When you have a chance to make a good deal, you make it."

New York City lost $5 million last year because it could not collect on illegible traffic tickets. So this year the city is sending its cops and traffic agents to penmanship class. Joseph Bilello of the Transportation Department's training academy says he will try to teach them "pre-kindergarten block letters."

No beefcake is allowed at this small Baptist college in Pineville, Louisiana. Even the president of Louisiana College admits that a fundraising calendar of photos of male students in bathing suits was "as scintillating as a Sears catalogue." But church leaders were outraged. "It makes us look like we're liberal or something," says the Rev. Charles Hutzler, pastor of the Alpine Baptist Church. Only 23 calendars had been sold in the school bookstore when sales were halted.

—Mark Edward Crane

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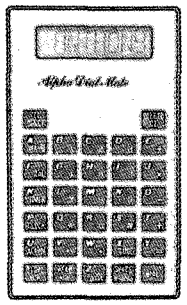

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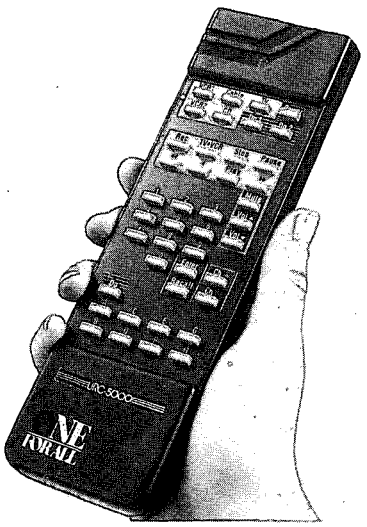

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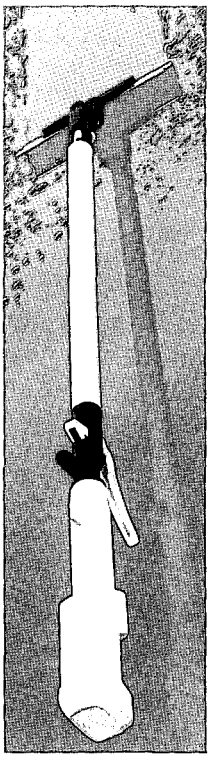

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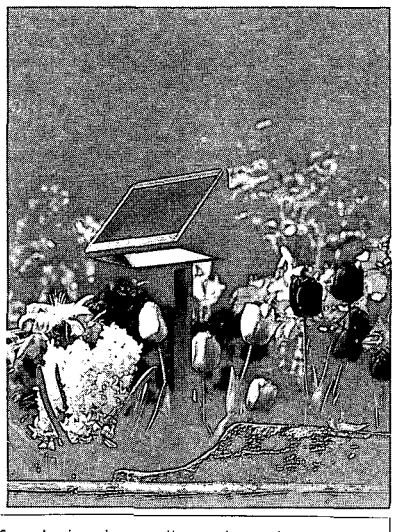

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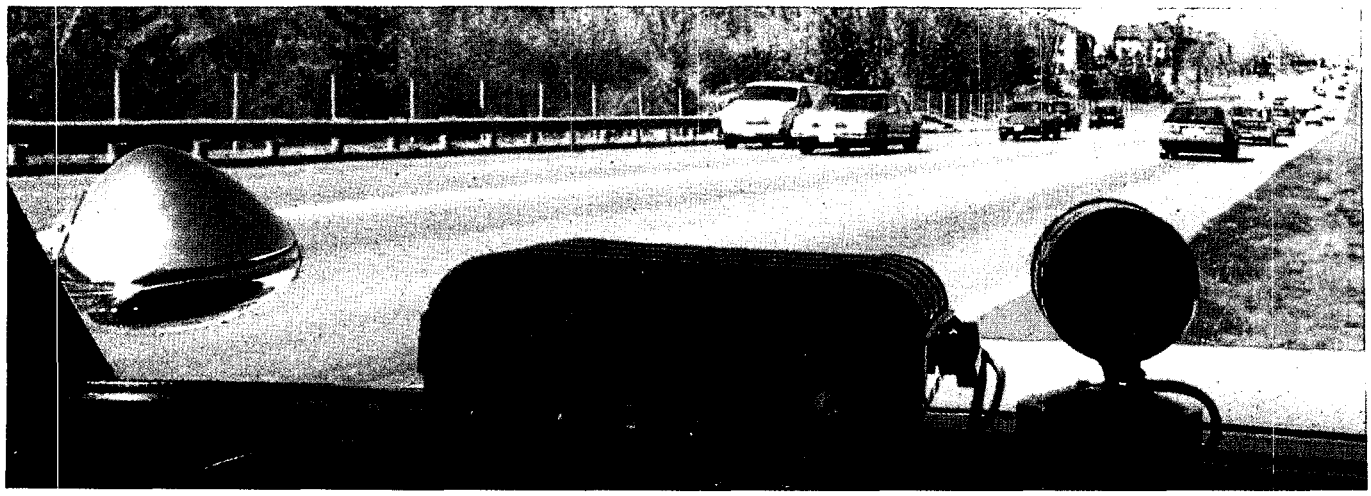

Traffic radar doesn't say which car is being clocked, it merely flashes a number. The radar operator must then try to determine which vehicle produced the reading.

Why radar makes mistakes. How to protect yourself.

Although nine different errors have been documented for traffic radar, the most common source of wrongful tickets is mistaken identity.

It's hard to believe, but traffic radar does not identify which vehicle is responsible for the speed being displayed. It shows only a speed number and nothing else. The radar operator must decide who is to blame.

How radar works

The radar gun is aimed at traffic and it transmits a beam of invisible radar waves. Each moving object within range reflects these invisible waves back to the radar gun. Using the Doppler principle, the radar calculates speed from the reflected waves.

Traffic radar is blind

Traffic radar works differently from military, air-traffic-control, and weather radars. The others use rotating dish antennas in order to track many objects simultaneously.

Traffic radar uses a far smaller, far cheaper, gun-shaped antenna. This simplification requires traffic radar to ignore all reflections but the strongest. The number displayed is speed calculated from the strongest reflection.

The best guess

Remember, these reflections are invisible. Truck reflections can be ten times stronger than car reflections. How can the operator know for sure which vehicle is responsible for the number?

The truth is, he can't be sure in many cases. The result is mistaken identity. You can be ticketed for somebody else's reflection.

Self defense

The only way to defend yourself against these wrongful tickets is to know when radar is operating near you. Others agree with this method. In his verdict upholding a citizen's right to use a radar detector, Judge Joseph Ryan, Superior Court, District of Columbia, wrote:

"If government seeks to use clandestine and furtive methods to monitor citizen actions, it can ill afford to complain should the citizen insist on a method to effect his right to know he is under such surveillance."

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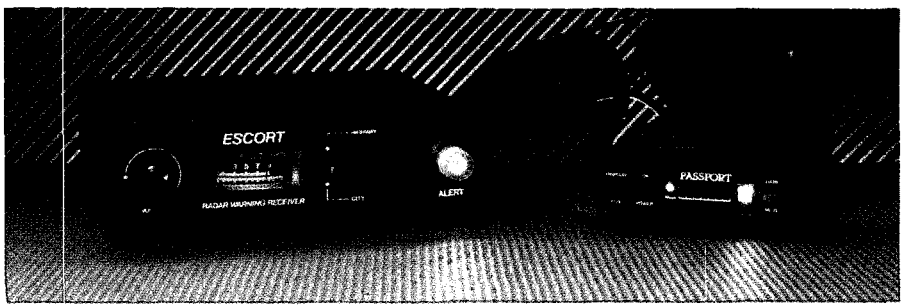

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